

**AGENDA
REGULAR MEETING
DES MOINES CITY COUNCIL
21630 11th Avenue South, Des Moines, City Council Chambers
August 30, 2012 - 7:00 p.m.**

CALL TO ORDER

PLEDGE OF ALLEGIANCE

CORRESPONDENCE

COMMENTS FROM THE PUBLIC:

BOARD & COMMITTEE REPORTS/ COUNCILMEMBER COMMENTS

PRESIDING OFFICER'S REPORT

ADMINISTRATION REPORTS

CONSENT CALENDAR

Item 1: APPROVAL OF MINUTES

Motion is to approve the minutes of the meeting of August 9, 2012.

Item 2: APPROVAL OF VOUCHERS

Motion is to approve for payment vouchers and payroll transfers described as follows:

Claim checks **\$1,040,409.28**

Payroll fund transfers in the total amount of **\$447,257.01**

Total certified Wire Transfers, Voids, A/P & Payroll vouchers are **\$1,487,666.29**

Item 3: DRAFT RESOLUTION 12-124 – MODIFICATIONS TO SCORE'S CITY OF ORIGIN RELEASE PROGRAM FOR CITY OF SEATAC (SeaTac City Manager to Attend)

Motion is to approve Draft Resolution No. 12-124 authorizing the addition of the Sound Transit Community Access Point at South 176th Street to SCORE's City of Origin Release Program for inmates released to the City of SeaTac.

Item 4: TRANSPORTATION GATEWAY PROJECT CONSULTANT AGREEMENT SUPPLEMENT: RIGHT-OF-WAY ACQUISITION SERVICES FOR THE SOUTH 216TH STREET PROJECT (SEGMENT 1A: 24TH AVE. S. TO 29TH AVE. S.) - PARCEL NUMBER 48

Motion 1 is **the-** to approve Supplement #7 with KPG Consulting Engineers, Inc., to complete the Right-of-Way Plans and Preliminary Funding Estimate (PFE) for the South 216th Street Project (Segment 1a: 24th Avenue South to 29th Avenue South) in the amount of \$29,958.69 bringing the total Agreement amount to \$2,270,779.63, and further authorize the City Manager to sign the contract supplement substantially in the form as submitted.

Motion 2 is to approve Supplement #8 with KPG Consulting Engineers, Inc., for work related to Right-of-Way Acquisition Services for Project Parcel 48 in the amount of **\$39,1235.77** bringing the total Agreement amount to \$2,309,905.40, and further authorize the City Manager to sign the contract supplement substantially in the form as submitted.

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Motion 2 is the approve Supplement #8 with KPG Consulting Engineers, Inc., for work related to Right-of-Way Acquisition Services for Project Parcel 48 in the amount of \$39,123.77 bringing the total

Agreement amount to \$2,309,905.40, and further authorize the City Manager to sign the contract supplement substantially in the form as submitted.

Item 5: DRAFT RESOLUTION 12-118: FUNDING CERTIFICATION FOR SOUTH 216TH STREET (18TH AVENUE SOUTH TO 24TH AVENUE SOUTH) IMPROVEMENT PROJECT
Motion is to approve Draft Resolution No. 12-118 certifying to the Washington State Transportation Improvement Board (TIB) that local funding is secured, authorize the City Manager or his designee to sign the TIB Project Funding Status Form and Fuel Tax Grant Distribution Agreement, and further authorize Administration to advertise the South 216th Street Segment 2 (18th Avenue South to 24th Avenue South) Improvement Project for construction bids upon completion of utility agreements.

Item 6: PROCLAMATION SUPPORTING NATIONAL RECOVERY MONTH
Motion is to support National Recovery Month by passing the proposed proclamation.

Item 7: INTERLOCAL AGREEMENT BETWEEN THE CITY OF DES MOINES AND THE HIGHLINE SCHOOL DISTRICT FOR A SCHOOL RESOURCE OFFICER (SRO)
Motion is to approve the agreement between the City of Des Moines and the Highline School District continuing the School Resource Officer Program under the terms as described in the attached Interlocal Agreement, and to authorize the City Manager to sign the Agreement substantially in the form as submitted.

PUBLIC HEARING

1. DRAFT RESOLUTION 12-130 – ADDENDUM TO THE SEAMAR DEVELOPMENT AGREEMENT INCREASING NUMBER OF AFFORDABLE HOUSING UNITS
Staff Presentation: Senior Planner Jason Sullivan

OLD BUSINESS

1. SECOND READING BUDGET AMENDMENT DRAFT ORDINANCE NO. 12-105
Staff Presentation: Finance Director Paula Henderson
2. BUDGET PROCESS
Staff Presentation: City Manager Tony Piasecki

NEW BUSINESS

1. FINANCIAL UPDATE – YEAR END 2011/EARLY 2012
Staff Presentation: Finance Director Paula Henderson
2. DRAFT ORDINANCE B&O TAX ECONOMIC DEVELOPMENT INCENTIVE
Staff Presentation: Economic Development Manager Marion Yoshino

NEXT MEETING DATE September 6, 2012, City Council Regular Meeting

ADJOURNMENT

Consent Agenda Item #1

**REGULAR MEETING
DES MOINES CITY COUNCIL
21630 11th Avenue South, Des Moines, City Council Chambers**

August 9, 2012 - 7:00 p.m.

CALL TO ORDER - Mayor Kaplan called the meeting to order at 7:00 p.m.

PLEDGE OF ALLEGIANCE – The flag salute was led by Councilmember Scott.

ROLL CALL

Present were Mayor Dave Kaplan; Mayor Pro-Tem Matt Pina; Councilmembers Dan Caldwell, Melissa Musser, Jeanette Burrage, Bob Sheckler and Carmen Scott.

Staff present were City Manager Tony Piasecki; City Attorney Pat Bosmans; Planning Building and Public Works Director Grant Fredricks; Police Chief George Delgado; Planning Manager Denise Lathrop; Finance Operations Manager Cecilia Pollock; Parks Recreation and Senior Services Director Patrice Thorell; Assistant Director of Transportation and Engineering Dan Brewer; Assistant Director of Utilities and Environmental Engineering Loren Reinhold; Economic Development Manager Marion Yoshino; City Clerk Sandy Paul; Sergeant Bob Boles; Administrative Assistant Peggy Volin. Judge Veronica Alicea-Galvin; Senior Center Manager Sue Padden

COMMENTS FROM THE PUBLIC:

Donald Gorlick, 23641 7th Avenue South, spoke about how dangerous the intersection of Marine View Drive and South 240th Street is. He suggested putting in a curb to narrow the lane.

Joseph Erdahl, 23907 7th Avenue South, also spoke about how dangerous and blind the intersection at Marine View Drive and South 240th Street is. He suggested a 4-way stop or right turn only to make the intersection safer.

Ron Dupard, 11023 SE 140th Street, D-2, in Kent, spoke in support of the multifamily tax exemption to spur development. He commented that a 4-story option should be seriously considered by the Council. His perspective was that the 5-story requirement does not pencil out for a developer.

BOARD & COMMITTEE REPORTS/ COUNCILMEMBER COMMENTS

Councilmember Scott

- The Farmer's Market is held from 10:00 a.m.-2:00 p.m. on Saturdays
- Wednesday August 15 is Celebrate Des Moines Caribbean style
- The movie in the park on August 17 is *The Lorax*
- An Art Show will be held 10:00 a.m.-5:00 p.m. in the Beach Park Auditorium on Saturday August 18

Councilmember Sheckler

- Reported on the Environment Committee meeting
- Quoted from his book *the 776 Stupidest Things Ever Said by Politicians*

Councilmember Burrage

- Reported on the South County Transportation Board (SKTBd) meeting on July 17

Mayor Pro-Tem Pina

- Reported on attending, at the request of a citizens group, a community forum with Mayor Kaplan and Chief Delgado. He said he appreciated the forum format as an alternative to a City Council meeting.

Councilmember Musser

- Attended Suburban Cities Association (SCA) Public Issues Committee (PIC) meeting and reported on that meeting

Councilmember Caldwell

- Mentioned the group home issue in Normandy Park
- Spoke briefly about election season and suggested taxing campaign signs!
- Commented on the ACT publication for seniors

PRESIDING OFFICER'S REPORT

- Also spoke about the Citizens Forum attended by himself, Councilmember Pina and Chief Delgado
- Representative Tina Orwall said a few words about local issues including the dangers of the intersection at 240th and Marine View Drive

ADMINISTRATION REPORTS

- Nancy Stephan gave an Arts Commission Marina District Sculpture Project Presentation and proposed a rotating sculpture display of temporary public outdoor art (display bases would be permanent fixtures) at Beach Park, Wooton Park, and perhaps, someday, a fountain.
- Kathy Isaac spoke more about the sculptures and presented a timeline.

Councilmember Musser moved to approve the Des Moines Arts Commission request to establish a Rotating/Permanent Public Sculpture Project; Councilmember Sheckler, second. The motion passed 7-0.

- City Manager Piasecki gave a Follow-up on the Woodmont Redondo Meeting Comments , saying that staff was actively working on solutions to many of the concerns raised at the meeting at Woodmont Elementary School on July 12. Letters would be sent to all those who commented
- Staff is working on safety solutions for Marine View Drive and South 240th Street
- There will be a Walking Audit of the entire downtown on August 28
- The Utility Occupation Tax will not be on the ballot and will be pulled from the consent agenda

CONSENT CALENDAR

Item 1: APPROVAL OF MINUTES

Motion is to approve the minutes of the meetings of July 12 and 26, 2012, and the Special Meeting to hold an Executive Session on July 12, 2012.

Item 2: APPROVAL OF VOUCHERS

Motion is to approve for payment vouchers and payroll transfers described as follows:

Claim checks \$360,093.63
 Payroll fund transfers in the total amount of \$448,835.04
 Total certified Wire Transfers, Voids, A/P & Payroll vouchers are \$808,928.67

Item 3: MOTION TO SETTLE THE MATTER OF **C.A. CAREY VS. THE CITY OF DES MOINES**

Motion is to approve settlement of the matter of *C.A. Carey v. City of Des Moines*, King County Superior Court Cause No. 12-2-05390-1 KNT, upon execution of satisfactory settlement documents, in the amount of \$68,645.00

Item 4: APPROVAL OF AMENDMENT TO THE CONSERVATION FUTURES
INTERLOCAL COOPERATION

Motion is to approve the Amendment to the Conservation Futures Interlocal Cooperation Agreement between King county and City of Des Moines for Open Space Acquisition Projects, and authorize the City Manager to sign the Amendment substantially in the form as submitted.

~~Item 5: CONFIRMATION OF UOT BALLOT PRO/CON COMMITTEE — MEMBERS~~

~~Motion is to~~

Item 6: BARNES CREEK 223RD CULVERT REPLACEMENT PROJECT – CONTRACT
CONTINGENCY INCREASE

Motion is to approve additional spending authority in the amount of \$36,030.35 for the construction contract for the 223rd Culvert Replacement Project up to a maximum contract amount of \$235,000 to cover unforeseen project expenditures and complete the project.

Councilmember Musser moved approval of the Consent Agenda; Councilmember Pina, second. The motion passed, 7-0.

PUBLIC HEARING

1. Surplus of Vehicles

Mayor Kaplan opened the public hearing at 7:53 p.m.

Planning Building Public Works Director Grant Fredricks provided a short PowerPoint presentation and explained that surplus of a Surface Water Management (a public utility) vehicle required a public hearing.

Councilmembers asked questions.

Mayor Kaplan asked that those in the audience wishing to speak to please do so at this time. Mayor Kaplan called three times for anyone else wishing to speak. No one had comments.

Mayor Kaplan closed the Public Hearing at 7:57 p.m.

Councilmember Sheckler moved to approve Draft Resolution No. 12-129 declaring five vehicles surplus and further authorizing the disposal of said equipment by auction, sale or transfer to other departments or agencies; Mayor Pro-Tem Pina, second. The motion was approved 7-0.

OLD BUSINESS

1. Multi-Family Tax Exemption Policy Discussion

Economic Development Manager Marion Yoshino gave a short introductory presentation, mentioning the Council's previous work on the multifamily tax policy and added new information about rental rates.

Garrett Huffman of the Master Builders Association offered some insights about elevators and various other building code requirements from a developer's standpoint. A multifamily tax exemption would increase funding options.

ACTION/DIRECTION

Following discussion, Councilmembers found consensus in their comments and requested staff to return an ordinance to them for a vote that would incorporate: 1) a height reduction in both RTF zones to 50 feet; 2) list the minimum units required to 60; and 3) apply those regulations equally to condominium and apartment construction.

BREAK – Mayor Kaplan called for a 10 minute break at 8:45 p.m. The Council meeting was reconvened at 8:55 p.m.

2. Marina District Design Theme – *rescheduled from the City Council meeting of July 5*
Planning Manager Denise Lathrop introduced the discussion with comments about design themes that evoke a sense of place in Des Moines. She also outlined incentives developers could use to gain advantage should they choose one of a variety of sizes of projects.

ACTION/DIRECTION

Councilmember Sheckler moved to establish a preferred architectural style for the Marina District allowing the developer to pick 6 of 8 architectural features: pitched roofs with dormers; multi-paned windows; shake shingle and/or lap siding; historic color schemes; porticos; white trim; shutters; blade signs. Councilmember Caldwell seconded the motion.

Following discussion, the motion was withdrawn by the maker and seconder.

Councilmember Sheckler moved that an incentives program would be created to encourage preferred design features that includes: city permit fee reduction (10% for up to 25,000 SF and 5% over 25,000 SF); expedited plan review. Councilmember Caldwell seconded the motion. The motion failed. Councilmembers Sheckler and Caldwell voted *yes*; Mayor Kaplan, Mayor Pro-Tem Pina, and Councilmembers Musser, Burrage and Scott voted *no*.

Councilmember Sheckler left the meeting at this time.

NEW BUSINESS

1. Budget Process

An interdepartmental team outlined how staff tasks and activities support the City Council's goals, how many full-time equivalents (FTE) there are, and why the city does what it does.

With the meeting fast approaching the 10:00 hour, Mayor Kaplan asked for a motion to extend, saying that he would explain. Councilmember Burrage moved to extend the meeting to 10:15 p.m.; Mayor Kaplan second. The motion passed 6-0. Mayor Kaplan said time was of the essence, and he wanted the Council to get through the high points in order to discuss budget priorities at the August 30 City Council Meeting.

Planning Building Public Works Director Grant Fredricks had presented his outline at a previous meeting. Each department gave a brief presentation: Executive, Personnel, Records, Police, Finance, Legal, Economic Development, Parks Recreation and Senior Services, and the Court.

Mayor Kaplan instructed the Council to ask questions of staff as needed when attaching their personal value of listed items in the spreadsheets. Scoring would be on a scale of 1-10, 1 being low, 10 being a very high priority, including the option to vote items on a half scale, e.g, 6.5. The rating sheets are due back to the City Manager by close of business on Wednesday, August 22, 2012. The City Manager offered his time to answer questions or discuss any issues. Otherwise, Councilmembers were free to contact department directors directly.

NEXT MEETING DATE August 30, 2012, City Council Regular Meeting

ADJOURNMENT

The Council meeting ran out of time and adjourned at 10:15 p.m.

Respectfully submitted,

Sandy Paul CMC
City Clerk

A G E N D A I T E M

BUSINESS OF THE CITY COUNCIL
City of Des Moines, WA

SUBJECT: SCORE Alternative Release Locations

FOR AGENDA OF: August 30, 2012

ATTACHMENTS:

- 1. Draft Resolution 12-124
- 2. August 20, 2012 Request
- 3. Sound Transit Light Rail Access Point Vicinity Map (Color)

DEPT. OF ORIGIN: Planning, Building & Public Works

DATE SUBMITTED: August 21, 2012

CLEARANCES PB

- Legal PB
- Finance N/A
- Marina N/A
- Parks, Recreation & Senior Services N/A
- Planning, Building & Public Works HA
- Police _____
- Courts N/A

APPROVED BY CITY MANAGER
FOR SUBMITTAL: HA

Purpose and Recommendation

The purpose of this Agenda Item is to modify the South Correctional Entity's (SCORE) City of Origin Release Program by adding an additional drop-off location for the City of SeaTac's inmates released from SCORE. The City Council may modify the City of Origin Release Program as part of the Consent Calendar by passing the following motion:

Suggested Motion

Motion: "I move to approve Draft Resolution 12-124 authorizing the addition of the Sound Transit Community Access Point at South 176th Street to SCORE's City of Origin Release Program for inmates released to the City of SeaTac."

Background

On July 9, 2009, the City Council approved Resolution 1108 approving the Unclassified Use Permit (UUP) for the SCORE Facility. In approving the UUP the City had substantial concerns regarding the potential of impacts to the adjacent single family residential neighborhood and the City of Des Moines from releasing the inmates from seven South King County cities at or near the site. Based on information provided by the applicant, SCORE was planning to institute a policy that the inmates would

be returned to the City of Origin. According to the Mayor of Tukwila as provided in the February 26, 2009 press release:

Most of the inmates have been arrested, or sentenced to jail time for property crimes such as theft, driving offenses, and criminal trespass. The average length of stay for these inmates is approximately 14 days. Tukwila Mayor Jim Haggerton said, "SCORE will be piloting a unique release strategy that will return the inmate to the arresting jurisdiction upon release. This means that inmates will not be released into the surrounding communities

Staff was concerned that there was not a mechanism to ensure that the policy would actually be implemented or cut in the future as a cost saving measure. Therefore, staff recommended that a condition of approval be added to the UUP, which required SCORE to return the inmates to the originating jurisdiction. The City Council concurred with staff's recommendation and established the following Condition of Approval as part of Resolution 1108 Section 2(6):

SCORE shall implement the "City of Origin or Residence" release program which requires SCORE to comply with the following measures:

- (a) SCORE shall provide shuttle services that will return released misdemeanants to the City of Origin's city hall or police station or confirmed residence; provided that SCORE may request an alternative locations [sic] that are approved by the Des Moines City Council; provided that the alternative locations shall not be located at the jurisdictional boundaries of the City of Origin.*
- (b) The release protocol shall not allow for the use of bus passes.*
- (c) SCORE shall not allow released misdemeanants to be picked up at the SCORE Facility unless they have confirmed transportation.*
- (d) Failure to comply with the above minimum standards shall constitute a violation of the UUP conditions of approval and shall be enforced through the provisions of Chapter 18.72 DMMC as presently adopted or subsequently amended.*

In November of 2011, the City Council amended the City of Origin Release Program with the passage of Resolution 1182 which modified the Program by allowing SCORE to release: (1) all inmates to Substance Abuse Services Provider Network; (2) inmates from the City of Tukwila at the Tukwila Light Rail Station located at 15426 35th Avenue South; and (3) inmates from the City of Federal Way at the Park and Ride located at South 324th Street and 23rd Avenue South.

Discussion

On August 20, 2012, the City received a request from SCORE that the City of SeaTac is requesting that released inmates be dropped off at the Sound Transit Community Access Point located at 176th Street and International Boulevard. A map of this location is provided in **Attachment 3**. The site is located within the City of SeaTac and is served by King County Metro's Bus RapidRide and Sound Transit's Central Link Light Rail. RapidRide operates on 10 to 15 minute head ways from 4:30 AM to 10PM and Light Rail operates on 10 to 15 minute head ways from 5AM to approximately 1AM. The City of SeaTac

acknowledges that permission from Sound Transit is also required before any inmates can be released at this location.

The requests for alternative release locations before the City Council as part of this Agenda Item are not amendments to the original UUP as the condition of approval provided for the establishment of alternative release locations provided that the locations met the requirements established by Resolution 1108 to include approval of the location by the Des Moines City Council. The intent of the original condition of approval was to ensure that the inmates from other cities were not released directly into the City of Des Moines. The requested alternative locations were only reviewed based on this original reason for the condition of approval. Staff determined that the requested modifications do not violate the intent or reason for establishing the City of Origin Release Program. There may be other issues or concerns associated with the identified locations; however, those concerns must be addressed by SCORE, the requesting City and the underlying property owner.

Alternatives

The City Council has the following alternatives:

- **Alternative 1: Do Nothing**

The City Council may determine that particular conditions exist that warrant denying the requested release location and decline to act on Draft Resolution 12-124. This is not the recommended alternative.

- **Alternative 2: Adopt Draft Resolution 12-124 with Amendments.**

The City Council could amend Draft Resolution 12-124 by adding additional release locations to the City of Origins Release Program and/or add additional mitigation measures prior to adopting the Draft Resolution. This is not the recommended alternative.

- **Alternative 3: Adopt Draft Resolution 12-124.**

The City Council may approve Draft Resolution 11-223 adding additional release locations to the City of Origins Release Program subject to the recommended mitigation measures. This is the recommended option.

Financial Impact

There are not financial impacts associated with this request.

Recommendation or Conclusion

Administration recommends that the City Council approve Draft Resolution 12-124 since the request is consistent with the intent of establishing the City of Origin Release Program. However, staff is also recommending that prior to releasing any inmates to the Light Rail Station that SCORE or the City of SeaTac obtain written permission from Sound Transit which is included in Draft Resolution 12-124.

Concurrence

**DEVELOPMENT SERVICES FIRST DRAFT
DRAFT RESOLUTION NO. 12-124**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DES MOINES, WASHINGTON, approving the addition of alternative release locations to the City of Origin Release Program required to be implemented as part of the Unclassified Use Permit for the SCORE Facility, a regional misdemeanor correctional facility subject to conditions specified herein.

WHEREAS, SCORE currently operates an 813 bed correctional facility to serve the misdemeanor detention needs of the seven member jurisdictions which includes the cities of Auburn, Burien, Des Moines, Federal Way, Renton, SeaTac and Tukwila, and

WHEREAS, local correctional facilities are defined by DMMC 18.04.263 and RCW 36.70A.200 as Essential Public Facilities, and

WHEREAS, in order to comply with the conditions of approval for the Unclassified Use Permit for SCORE, it is required to implement a City of Origin Release Program,

WHEREAS, the City of Origin Release Program requires SCORE to provide shuttle services that will return released misdemeanants to the City of Origin's city hall or police station or confirmed residence; provided that SCORE may request alternative locations that are approved by the Des Moines City Council, and

WHEREAS, SCORE has requested that the Des Moines City Council approve alternative locations; now therefore,

THE CITY COUNCIL OF THE CITY OF DES MOINES RESOLVES AS FOLLOWS:

In addition to the locations originally identified in Resolution 1108 as part of the City of Origin Release Program in Section 2(6) and modified by Resolution 1182, SCORE may drop-off released inmates at the following alternative locations:

(1) Inmates required to be returned to the City of SeaTac may be released at the Tukwila Light Rail and Bus Transit Station located a Sound Transit Community Access Point located 176th Street and International Boulevard in the City of SeaTac; provided that SCORE and/or the City of SeaTac obtain written approval from Sound Transit to release inmates at this location.

Resolution No. 12-124
Page 2 of 2

ADOPTED BY the City Council of the City of Des Moines,
Washington this ____ day of _____, 2012 and signed in
authentication thereof this ____ day of _____, 2012.

M A Y O R

APPROVED AS TO FORM:

City Attorney

ATTEST:

City Clerk



SOUTH CORRECTIONAL ENTITY
Serving the Cities of Auburn, Burien, Des Moines, Federal Way, Renton, SeaTac, and Tukwila

August 20, 2012

Mr. Jason Sullivan
City of Des Moines
21630 11th Avenue South, Suite D
Des Moines, Washington 98198

Dear Mr. Sullivan:

In accordance with the requirements set forth in Des Moines Resolution 1108 – Unclassified Use Permit (UUP) granted by the Des Moines City Council on July 9, 2009, SCORE is requesting a modification of Section 2, Subsection 6(a), known as the “City of Origin or Residence” release program. SCORE is requesting that an additional drop-off location be added as requested by the Member City of SeaTac.

The City of SeaTac is asking that the Sound Transit Community Access Point located at South 176th Street and International Boulevard be designated as a drop-off location. I have attached an email from Todd Cutts, SeaTac City Manager, requesting this change.

Please let me know if you need any further information from me in order to authorize this change. I can be reached via email at penny@SCOREjail.org or at (206) 257-6262.

Sincerely,

SOUTH CORRECTIONAL ENTITY

Penny Bartley, CJM
Director

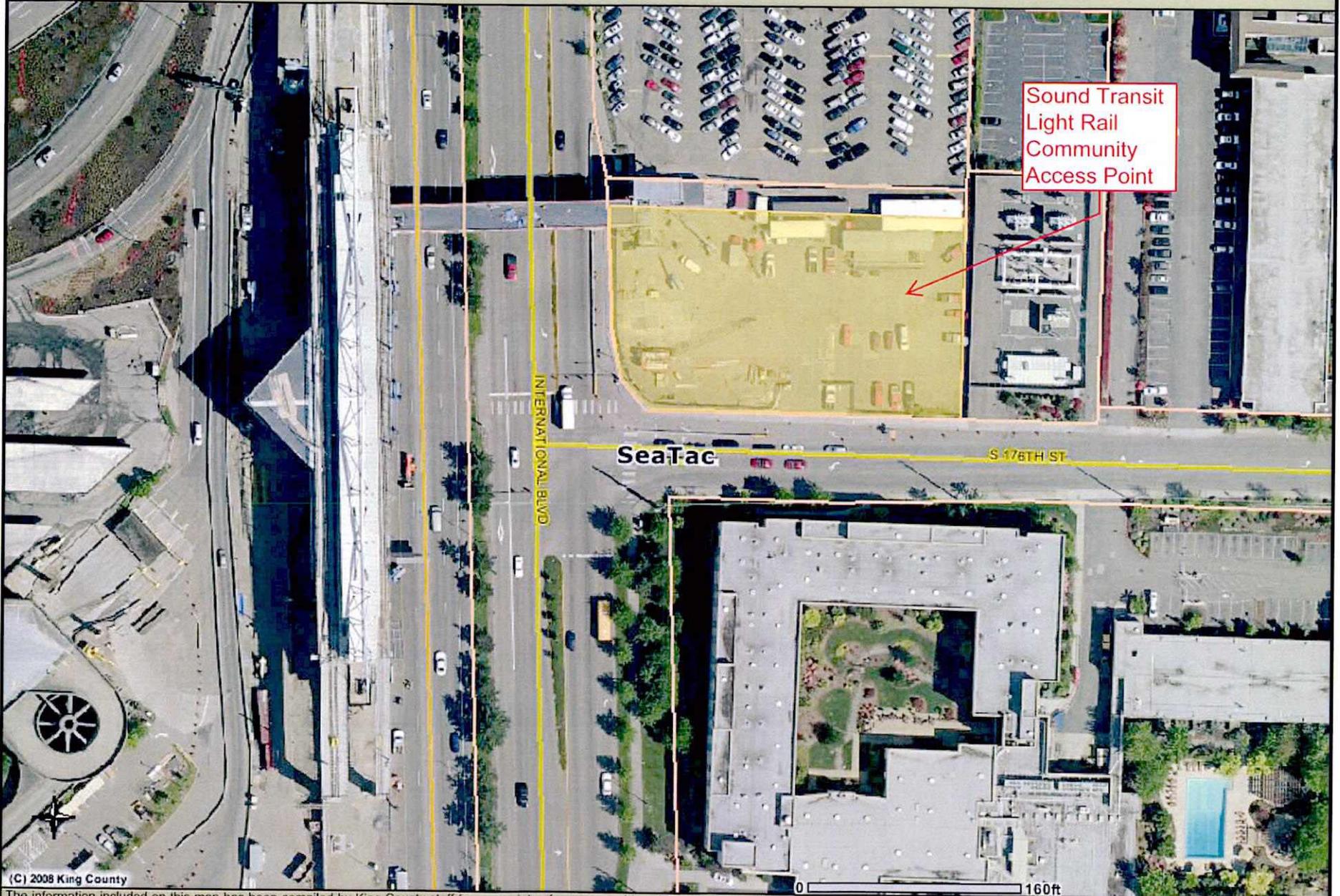
Penny Bartley

From: Todd Cutts <tcutts@ci.seatac.wa.us>
Sent: Saturday, August 18, 2012 9:25 AM
To: Penny Bartley
Cc: Gwen Voelpel
Subject: SCORE Drop off location

Penny-This is a formal request to change the drop off location for SeaTac's SCORE population to the Sound Transit "Kiss and Ride" at International Boulevard and 176th Street. Thank you.

Sent from my iPad

iMAP



Sound Transit
Light Rail
Community
Access Point

SeaTac

INTERNATIONAL BLVD

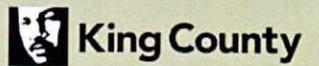
S 47TH ST

(C) 2008 King County

0 160ft

The information included on this map has been compiled by King County staff from a variety of sources and is subject to change without notice. King County makes no representations or warranties, express or implied, as to accuracy, completeness, timeliness, or rights to the use of such information. This document is not intended for use as a survey product. King County shall not be liable for any general, special, indirect, incidental, or consequential damages including, but not limited to, lost revenues or lost profits resulting from the use or misuse of the information contained on this map. Any sale of this map or information on this map is prohibited except by written permission of King County.

Date: 7/19/2012 Source: King County iMAP - Property Information (<http://www.metrokc.gov/GIS/iMAP>)



AGENDA ITEM

BUSINESS OF THE CITY COUNCIL
City of Des Moines, WA

SUBJECT: Transportation Gateway Project
Consultant Agreement Supplement:
Right-of-Way Services for the South
216th Street Project (Segment 1a: 24th
Ave. S. to 29th Ave. S.)

AGENDA OF: August 30, 2012

DEPT. OF ORIGIN: Planning, Building & Public
Works

DATE SUBMITTED: August 21, 2012

ATTACHMENTS:

1. Consultant Agreement Supplement No. 7
2. Consultant Agreement Supplement No. 8
3. Map of right-of-way needed for S. 216th
Street – Segment 1a
4. Graphic of Project Parcel 48
5. City of Des Moines Right-of-Way
Procedures, June, 2010
6. 2012 Adopted CIP budget worksheet

CLEARANCES:

- Legal PB
- Finance PK
- Marina N/A
- Parks, Recreation & Senior Services N/A
- Planning, Building & Public Works AKS
- Police N/A

APPROVED BY CITY MANAGER
FOR SUBMITTAL: [Signature]

Purpose and Recommendation:

The purpose of this item is to seek Council approval of Supplement #7 (refer to Attachment 1) and Supplement #8 (refer to Attachment 2) with KPG Consulting Engineers, Inc. for Right-of-Way Acquisition Services on the South 216th Street Project (Segment 1a: 24th Ave. S. to 29th Ave. S.). The following motions will appear on the Consent Calendar:

Suggested Motions

Motion 1: "I move to approve Supplement #7 with KPG Consulting Engineers, Inc. to complete the Right-of-Way Plans and Preliminary Funding Estimate (PFE) for the South 216th Street Project (Segment 1a: 24th Ave. S. to 29th Ave. S.) in the amount of \$29,958.69 bringing the total Agreement amount to \$2,270,779.63, and further authorize the City Manager to sign the contract supplement substantially in the form as submitted."

Motion 2: "I move to approve Supplement #8 with KPG Consulting Engineers, Inc. for work related to right-of-way acquisition services for Project Parcel 48 in the amount of \$39,125.77 bringing the total Agreement amount to \$2,309,905.40, and further authorize the City Manager to sign the contract supplement substantially in the form as submitted."

Background

On March 26, 2009, the City Council approved a Consultant Agreement with KPG Consulting Engineers, Inc. for the preliminary design phase of the improvements on 24th Avenue South between South 208th Street and South 216th Street, as well as South 216th Street from I-5 to 19th Avenue South. This project is commonly referred to as the Transportation Gateway Project. The initial Agreement was for \$669,780.85.

On November 12, 2009, the City Council approved Supplement #1 to the Agreement, which authorized the consultant to finalize project plans, specifications and estimates for the project, narrowing the scope of the South 216th Street segment as well as pursuing an "offset" alignment. Supplement 1 added \$1,428,682.69 to the Agreement, bringing the total Agreement at that time to \$2,098,463.54. Some right-of-way acquisition services were provided for in Supplement #1, but the Consultant's scope of work was limited to parcels on 24th Ave. S. between S. 208th Street and S. 216th Street, and those parcels needed for the construction of S. 216th Street Segment 2 (18th Ave. S. to 24th Ave. S.).

Supplement #2 to the Agreement, which was approved by the Council on February 11, 2010, authorized the Consultant to assist the City in designing and acquiring a portion of the SR 509 right-of-way for drainage and roadway purposes. This effort has been completed, and the WSDOT right-of-way transfer has been recorded with King County. Supplement 2 added \$53,652.25 to the Agreement, bringing the total Agreement at that time to \$2,152,115.79.

Supplement #3 was a no cost extension of the contract through December 2011, approved by Administration on December 13, 2010.

On June 2, 2011, the City Council approved Supplement #4 to the Agreement, which provided resources for the consultant to assist the City in providing some additional survey, engineering, and right of way services to complete an extension of 24th Avenue South approximately 300' to tie in with developer improvements on parcel 092204-09092, Congregation of Des Moines, creating a sidewalk connection to planned sidewalk improvements on South 216th Street. Supplement #4 added \$38,862.14 to the Agreement, bringing the total Agreement at that time to \$2,190,977.93.

Supplement #5 was a no cost extension of the contract through December 2012, approved by Administration on December 1, 2011.

On February 23, 2012, the City Council approved Supplement #6 to the Agreement. The purpose of this supplement was to redesign portions of the project to be consistent with grant funding requirements of the Transportation Improvement Board (TIB), and to address utility modifications related to PSE gas lines. Supplement #6 added \$49,834.01 to the Agreement, bringing the total Agreement at that time to \$2,240,820.94.

Discussion

On April 7, 2011, the City Council authorized Administration to begin the Right-of-Way acquisition phase of the Transportation Gateway Project, prioritizing negotiations for properties required for the widening of 24th Avenue South between South 208th Street and South 216th Street, and South 216th Street - Segment 2 (18th Ave. S. to 24th Ave. S.). The Council also authorized Administration to negotiate for properties required for the widening of South 216th Street - Segment 1a (24th Ave. S. to 29th Ave. S.) if properties become available, subject to the availability of funding in the Transportation Capital Improvement Program.

All of the right-of-way needed for the construction of the improvements to 24th Ave. S. between South 208th Street and South 216th Street has been acquired. In addition, all of the right-of-way needed for the construction of the improvements to S. 216th Street between 18th Avenue South and 24th Avenue South (Segment 2) has been acquired.

Since the consultants scope of work for right-of-way acquisition services was limited to Parcels on 24th Avenue South and South 216th – Segment 2, a new supplement to the Agreement is needed for any additional right-of-way acquisition services on the Transportation Gateway Project. A map showing the remaining parcels needed for the Transportation Gateway Project is provided as Attachment 3. All of these properties are associated with S. 216th St. - Segment 1a (24th Ave. S. to 29th Ave. S.). At this time, there are not sufficient funds to complete all of the remaining right-of-way acquisition. However, there are sufficient funds to acquire the right-of-way from project parcel 48. A graphic of this parcel is provided as Attachment 4.

Recently, the property owner of project parcel 48 approached the City with a permit request to reconstruct their business sign. The sign was proposed to be located within the area we will need to acquire as right-of-way. Staff has met with the property owner to discuss the issue. Based on conversations, it appears to be very advantageous to work with the landowner at this time on the right-of-way negotiation. The property owner seemed supportive of what the City is doing and stated it would be best to try to work things out now, rather than after he makes improvements and other investments to the property.

Supplement No. 8 (Attachment 2) provides for the preparation of the legal description, sub-surface environmental analysis (Level 1), appraisals, and other work necessary to complete the acquisition of Project Parcel 48. The assumption is that the negotiation can be completed without the need for condemnation.

On June 10, 2010 the City Council adopted updated right-of-way negotiation procedures, which were subsequently approved by the Washington State Department of Transportation (WSDOT). These procedures are provided as Attachment 5. As the City moves forward with this acquisition, negotiations will be consistent with these adopted procedures.

Supplement No. 7 (Attachment 1) provides for the preparation of the final right-of-way plans and the Preliminary Funding Estimate (PFE) that is required as part of our right-of-way acquisition procedures. It is critical at this time to proceed with this step of the right-of-way process so that the Council can formally adopt the right-of-way plans for this final segment of the Transportation Gateway Project and make the project more competitive for grant funding.

Alternatives

The Council could decide to postpone the right-of-way acquisition on this parcel until the decision is made to move forward with all of the right-of-way acquisition for South 216th Street – Segment 1a. This could result in additional costs, both to the City and the property owner. Right-of-way acquisition services for all of the remaining parcels on Segment 1a will cost \$224,037.59. While there are funds available for the complete acquisition services, there are not sufficient funds to actually acquire all of the property.

Financial Impact

Although funding for Right-of-Way acquisition for Segment 1a is limited, there are sufficient funds in the 2012 Adopted Budget to cover the costs for Supplement 7 and Supplement 8 (refer to Attachment 6).

Recommendation or Conclusion

Staff recommends adoption of the motion.

Concurrence

The Legal, Finance, Planning, Building and Public Works Departments concur.

EXHIBIT A

City of Des Moines

Transportation Gateway Project

Scope, Hour and Fee Estimate

August 17th, 2012

Supplement 7 – Survey, Right of Way Plans, and Preliminary Funding Estimate

South 216th Street - Segment 1A

PROJECT DESCRIPTION

This work shall consist of providing survey, engineering, environmental and Right-of-Way Preliminary Funding Estimates (PFE) services for the City of Des Moines (“City”) to complete the Right-of-Way Plans for the Des Moines Gateway Project South 216th Street – Segment 1A for the following parcels:

- 1) 215640-0025, 2423 S 216th ST
 - 2) 858270-0000, 2459 S 216th ST
 - 3) 215640-0301, 21615 Pacific Highway S
 - 4) 215640-0320, 21606 Pacific Highway S
 - 5) 215640-0322, 2717 S 216th ST
 - 6) 272420-1650, (Sunset Development)
 - 7) 272420-1550, 2811 S 216th ST
 - 8) 272420-1560, 21609 29th Ave S
 - 9) 092204-9232, 21449 Pacific Highway S
 - 10) 092204-9080, 21401 Pacific Highway S
 - 11) 092204-9054, 21425 Pacific Highway S
-

SCOPE OF WORK

TASK 1 – MANAGEMENT/COORDINATION/ADMINISTRATION

- 1.1 The Consultant shall provide continuous project management and administration for the duration of the Project.
- 1.2 The Consultant shall provide independent QA/QC reviews by senior in-house staff of all deliverables prior to submittal to the City.

Deliverables

- Monthly progress reports and invoicing
- Meeting agendas and minutes including a summary of decisions made/needed resulting from design coordination meetings.

TASK 2 – SURVEY & MAPPING

- 2.1 The Consultant shall perform title research and provide interpretation to identify the property lines for each parcel identified above.
- 2.2 The Consultant shall update the Right of Way Plans with final proposed take areas and associated square foot areas for use in the development of the Preliminary Funding Estimate (PFE).

Assumptions

- The City will obtain property access to perform field survey of the proposed Right of Way.
- Title Reports ordered by the Consultant and paid for as a direct reimbursable by the City.

Deliverables

- Project Right of Way Plans

TASK 3 – DESIGN & ENGINEERING

- 3.1 The Consultant shall perform design review of roadway improvements adjacent to each parcel in coordination with Right-of-Way plan revisions. This includes verification of 85% design proposed improvements (roadway, urban design, walls, driveways etc.) and parcel impacts.
- 3.2 The Consultant shall review utility designs for potential impacts to the fee take area for each parcel that may impact proposed improvements. The Consultant shall provide coordination with franchise utilities to determine any impacts to the fee take area.

TASK 4 – RIGHT OF WAY ACQUISITION SUPPORT

- 4.1 The Consultant will prepare a preliminary funding estimate (PFE) for the fee take parcels, describing each parcel, ownership, the estimate cost of acquisition, labor, escrow, and condemnation. It is anticipated that the parcel will require an appraisal. The Consultant shall provide PFE services as presented in Attachment B. The Consultant shall also prepare an Appraisal Waiver Summary sheet for parcels valued under \$25,000 in the PFE and which are deemed to be non-complex.

Assumptions

- If parcels with potential business impacts (relocation) are identified, they will be documented within the PFE.

FEE SUMMARY

Project: City of Des Moines
Transportation Gateway Project S. 216th Street - Segment 1A
Supplement No. 7

Description	Estimated Fee
Task 1 - Management/Coordination/Administration	\$ 1,486.78
Task 2 - Survey and Mapping	\$ 9,303.17
Task 3 - Design & Engineering	\$ 9,220.28
Task 4 - Right of Way Acquisition Support	\$ 9,948.46
Total Work Elements:	\$ 29,958.69

HOURLY AND FEE ESTIMATE

EXHIBIT A-1

Project: City of Des Moines
 Transportation Gateway Project S. 216th Street - Segment 1A
 Supplement No. 7



Task	Description	Labor Hour Estimate								Total Fee
		*Project Manager	*Senior Engineer	*Project Engineer	*Design Engineer	*CAD Technician	*Survey Crew	*Senior Admin	*Office Admin	Fee
		\$ 183.52	\$ 135.95	\$ 117.83	\$ 101.65	\$ 80.04	\$ 136.68	\$ 98.81	\$ 58.11	
Task 1 - Management/Coordination/Administration										
1.1	Project administration (estimate 2 months)	4	0	2	0	0	0	0	0	\$ 969.74
1.2	QA/QC reviews	2	0	0	0	0	0	0	0	\$ 367.04
	Reimbursable expenses - see breakdown for details									\$ 150.00
	Task Totals	6	0	2	0	0	0	0	0	\$ 1,486.78
Task 2 - Survey and Mapping										
2.1	Title Research & Update Parcel Lines	1	0	18	0	4	0	0	2	\$ 2,740.92
2.2	Right of Way Plans	2	0	24	0	32	2	0	4	\$ 6,262.25
	Reimbursable expenses - see breakdown for details									\$ 300.00
	Task Totals	1	0	18	0	4	0	0	2	\$ 9,303.17
Task 3 - Design & Engineering										
3.1	ROW Improvements Review	0	0	16	40	4	0	0	0	\$ 6,271.70
3.2	Utility coordination and design	0	0	16	8	0	0	0	0	\$ 2,698.58
	Reimbursable expenses - see breakdown for details									\$ 250.00
	Task Total	0	0	32	48	4	0	0	0	\$ 9,220.28
Task 4 - Right of Way Acquisition Support										
4.1	Preliminary Funding Estimate	2	0	4	0	2	0	0	0	\$ 998.46
	Reimbursable expenses - see breakdown for details									\$ 8,950.00
	Task Total	2	0	4	0	2	0	0	0	\$ 9,948.46

Total Work Elements: \$ 29,958.69

* Hourly rates are based on the following:

									Totals
Direct Salary Costs	\$ 62.50	\$ 46.30	\$ 40.13	\$ 34.62	\$ 27.26	\$ 46.55	\$ 33.65	\$ 20.58	\$ 10,202.87
Overhead Rate	163.63%								\$ 16,694.96
Fixed Fee	30%								\$ 3,060.86

HOUR AND FEE ESTIMATE

EXHIBIT A-1



Project: City of Des Moines
 Transportation Gateway Project S. 216th Street - Segment 1A
 Supplement No. 7

Reimbursable Breakdown	Cost
Task 1 - Management/Coordination/Administration	
Mileage	\$ 100.00
Reproduction	\$ 50.00
Task 1 - Total	\$ 150.00
Task 2 - Survey and Mapping	
Mileage	\$ 100.00
Reproduction	\$ 200.00
Task 2 - Total	\$ 300.00
Task 3 - Design & Engineering	
Mileage	\$ 50.00
Reproduction	\$ 200.00
Task 3 - Total	\$ 250.00
Task 4 - Right of Way Acquisition Support	
Mileage	\$ 50.00
Reproduction	\$ -
Certified Land Services	\$ 8,900.00
Task 5 - Total	\$ 8,950.00
Total Reimbursable Costs:	\$ 9,650.00

EXHIBIT A

City of Des Moines

Transportation Gateway Project

Scope, Hour and Fee Estimate

August 17th, 2012

Supplement 8 – Survey, Environmental, and Right-of-Way Acquisition Services

Parcel #0922049232 (21449 Pacific Highway South)

PROJECT DESCRIPTION

This work shall consist of providing survey, engineering, environmental and Right-of-Way acquisition services for the City of Des Moines (“City”) to complete the Right-of-Way acquisition for the Des Moines Gateway Project South 216th Street – Segment 1A on parcel 0922049232, 21449 Pacific Highway South.

SCOPE OF WORK

TASK 1 – MANAGEMENT/COORDINATION/ADMINISTRATION

- 1.1 The Consultant shall provide continuous project management and administration for the duration of the Project.
- 1.2 The Consultant shall provide independent QA/QC reviews by senior in-house staff of all deliverables prior to submittal to the City.

TASK 2 – SURVEY & MAPPING

- 2.1 The Consultant shall perform title review to determine and locate parcel 0922049232 property lines and underlying easements.
- 2.2 The Consultant shall prepare a legal description and exhibit for the parcel fee take and any easements identified.

Assumptions

- Title Report ordered by the Consultant and paid for as a direct reimbursable by the City.
- No additional survey base mapping is anticipated.

TASK 3 – DESIGN & ENGINEERING

- 3.1 The Consultant shall perform redesign of roadway improvements adjacent to parcel 0922049232 in coordination with Right-of-Way negotiations.
- 3.2 The Consultant shall review utility designs for potential impacts to the fee take area for parcel 0922049232 that may impact proposed improvements. The Consultant shall provide coordination with franchise utilities to determine any impacts to the fee take area.

TASK 4 – ENVIRONMENTAL SERVICES

- 4.1 The Consultant shall perform a Phase I Environmental Site Assessment (ESA) for parcel 0922049232, identifying potential or existing environmental contamination liability. It is not anticipated that a Phase II environmental site assessment (soil and groundwater sampling and analysis) will be required based on previously recognized environmental site conditions identified within the Corridor Wide Screening ESA (12-09-09).

The Phase I ESA will be performed in general accordance with the ASTM Standard Practice for Environmental Site Assessments: Phase I ESA Process, E 1527-00 (as currently applied in the State of Washington). This standard, while subject to changes as are all ASTM standards, is recognized as generally meeting the due diligence provisions of the federal statute [CERCLA 42 U.S.C. 9601(35) (B)] and the Washington State Model Toxics Control Act (MTCA) (RCW 70.105D.040). The Phase I ESA will include a review of the Washington Department of Ecology records for the subject property.

It is also anticipated that with or without a Phase II ESA, the City will assume that soil and or groundwater remediation efforts will be required within the fee take area during construction.

Assumptions

- ASTM considerations (e.g., identification, sampling and analysis for radon, lead in drinking water, lead-based paint, polychlorinated biphenals (PCB) in light ballast, asbestos-containing building materials or urea formaldehyde in onsite structures, and/or wetlands, regulatory compliance, indoor air quality including the potential presence of mold, industrial hygiene, and health and safety) are not included in this scope of work.

TASK 5 – RIGHT OF WAY ACQUISITION SUPPORT

The Consultant shall perform the following work items necessary to establish the right-of-way (ROW) for the identified parcel 0922049232.

- 5.1 The Consultant will prepare a preliminary funding estimate (PFE) for the (1) fee take parcel, describing the parcel, its ownership, the estimate cost of acquisition, labor, escrow, and condemnation. Administrative Offer Summaries (AOS) will be written for those acquisitions valued under \$25,000 in the PFE process. It is anticipated that the parcel will require an appraisal.

The City will review the AOS and/or appraisal and set the just compensation for the parcel from which an offer to the property owners will be made. The Consultant shall provide acquisition, negotiation, title review, and clearance/closing services as presented in Attachment B.

Assumptions

- The Right-of-Way acquisition services do not include coordination with Shell, whom has been identified by the current owner, as a corporation performing environmental remediation efforts on parcel 0922049232.
- Title Report ordered by the Consultant and paid for as a direct reimbursable by the City.

FEE SUMMARY

Project: City of Des Moines
Transportation Gateway Project South 216th Street - Segment 1A
Supplement No. 8

Description	Estimated Fee
Task 1 - Project Management	\$ 2,089.48
Task 2 - Survey and Mapping	\$ 3,069.36
Task 3 - Design & Engineering	\$ 4,822.13
Task 4 - Environmental Services	\$ 7,971.33
Task 5 - Right of Way Acquisition Support	\$ 21,173.46
Total Work Elements: \$ <u>39,125.77</u>	

HOOR AND FEE ESTIMATE

EXHIBIT A-1

Project: City of Des Moines
Transportation Gateway Project South 216th Street - Segment 1A
Supplement No. 8



Task	Description	Labor Hour Estimate							Total Fee	
		*Project Manager	*Senior Engineer	*Project Engineer	*Design Engineer	*CAD Technician	*Survey Crew	*Senior Admin	*Office Admin	Fee
		\$ 183.52	\$ 135.95	\$ 117.83	\$ 101.65	\$ 80.04	\$ 136.68	\$ 98.81	\$ 58.11	
Initial Authorization - Tasks 1 through 8 for Final Design and Environmental Documentation:										
Task 1 - Project Management										
1.1	Project administration (estimate 6 months)	4	0	4	0	0	0	0	0	\$ 1,205.41
1.2	QA/QC reviews	4	0	0	0	0	0	0	0	\$ 734.08
	Reimbursable expenses - see breakdown for details									\$ 150.00
	Task Totals	8	0	4	0	0	0	0	0	\$ 2,089.48
Task 2 - Survey and Mapping										
2.1	Title review and basemap update	0	0	2	0	0	4	0	0	\$ 782.41
2.2	Legal Description & Exhibit	0	0	0	0	0	16	0	0	\$ 2,186.96
	Reimbursable expenses - see breakdown for details									\$ 100.00
	Task Totals	0	0	2	0	0	20	0	0	\$ 3,069.36
Task 3 - Design & Engineering										
3.1	ROW Improvements Design	1	0	8	16	4	0	0	0	\$ 3,072.84
3.2	Utility coordination and design	0	0	8	4	0	0	0	0	\$ 1,349.29
	Reimbursable expenses - see breakdown for details									\$ 400.00
	Task Total	1	0	16	20	4	0	0	0	\$ 4,822.13
Task 4 - Environmental Services										
4.1	Phase I Environmental Site Assessment	0	0	4	0	0	0	0	0	\$ 471.33
	Reimbursable expenses - see breakdown for details									\$ 7,500.00
	Task Total	0	0	4	0	0	0	0	0	\$ 7,971.33
Task 5 - Right of Way Acquisition Support										
5.1	ROW Acquisition Support	2	0	4	0	2	0	0	0	\$ 998.46
	Reimbursable expenses - see breakdown for details									\$ 20,175.00
	Task Total	2	0	4	0	2	0	0	0	\$ 21,173.46

Total Work Elements: \$ 39,125.77

* Hourly rates are based on the following:

									Totals
Direct Salary Costs	\$ 62.50	\$ 46.30	\$ 40.13	\$ 34.62	\$ 27.26	\$ 46.55	\$ 33.65	\$ 20.58	\$ 13,324.85
Overhead Rate									\$ 21,803.46
Fixed Fee									\$ 3,997.46

HOUR AND FEE ESTIMATE

EXHIBIT A-1



Project: City of Des Moines
 Transportation Gateway Project South 216th Street - Segment 1A
 Supplement No. 8

Reimbursable Breakdown	Cost
Task 1 - Project Management	
Mileage	\$ 100.00
Reproduction	\$ 50.00
Task 1 - Total	\$ 150.00
Task 2 - Survey and Mapping	
Mileage	\$ -
Reproduction	\$ 100.00
Task 2 - Total	\$ 100.00
Task 3 - Design & Engineering	
Mileage	\$ 100.00
Reproduction	\$ 300.00
Task 3 - Total	\$ 400.00
Task 4 - Environmental Services	
Mileage	\$ -
Reproduction	\$ -
Landau Associates - Phase I ESA	\$ 7,500.00
Task 4 - Total	\$ 7,500.00
Task 5 - Right of Way Acquisition Support	
Mileage	\$ -
Reproduction	\$ 50.00
Certified Land Services - ROW Acquisition Support	\$ 12,625.00
Certified Land Services - ROW Acquisition Support Appraisal & Appraisal Review	\$ 7,500.00
Task 5 - Total	\$ 20,175.00
Total Reimbursable Costs:	\$ 28,325.00

C E R T I F I E D

L A N D S E R V I C E S C O R P O R A T I O N

SCOPE OF WORK AND COST ESTIMATE: City of Des Moines
Gateway Project/Segment 1A Parcel 48

Project Overview.

CERTIFIED Land Services is a sub-consultant to KPG Engineering (PRIME) on this project for the City of Des Moines (Agency).

The project consists of acquiring one (1) partial takes in fee from a commercial private property owners.

There is no relocation of persons or personal property on this project.

This project is currently funded with local money only. State and federal funds are not involved in this project, but may be added at some point in the future. To protect the City's ability to use blended funds for this project, all acquisition activities will follow Federal Highways Administration policies and procedures as well as all applicable federal, state and local laws including, but not limited to the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 and its amendments, 49CFR Part 24, and state Revised Statutes. Work will be in accordance with the WSDOT Local Agencies Guidelines and by reference the WSDOT Right of Way Manual.

CERTIFIED will work closely with all project stakeholders including project managers and staff, engineering project managers and designers, property owners and their representatives and the public.

It is the intention of the consultant to have a project that is certification ready by the time of completion of the tasks.

Insert date

C E R T I F I E D
L A N D S E R V I C E S C O R P O R A T I O N

**SCOPE OF WORK AND COST ESTIMATE: City of Des Moines
Gateway Project/Segment 1A Parcel 48**

TASKS

Task 1 - Project Management

Assumptions:

- KPG, as the PRIME will act as general right of way project manager.
- CERTIFIED will provide staff management/advisory time for its staff, but will not consider itself in any way the Project Manager for the project.

- 1.1.1 Prepare a project schedule for the right of way phase. Monitor and update the schedule as needed.
- 1.1.2 Prepare and submit a monthly progress report that will include identification of work performed in the previous month's schedule, measures for mitigating schedule slippage, if necessary, and identification and discussion of potential problems that may arise, including issues resolution.
- 1.1.3 Post on line and/or e-mail status reports and complete document files for PRIME review and real time access of status reports and diaries.
- 1.1.4 Manage quality in coordination with the PRIME's Project Manager.
- 1.1.5 Submit detailed monthly invoices.
- 1.1.6 CERTIFIED will attend a kick-off meeting with PRIME and the City.

Task 2 - Preparation

Assumptions:

- CERTIFIED staff will review all documents, files, maps, title reports, legal descriptions and other information provided. Errors, questions and clarifications will be reviewed and discussed.

Task 3 - Appraisal

Assumptions:

- In accordance with funding source requirements and the agency's approved right of way procedures, CERTIFIED will determine parcels that may be acquired with appraisal waivers and those parcels that require full narrative appraisals.
- 3.1.1 CERTIFIED will prepare a preliminary funding estimate for the partial fee take parcel, describing the parcel, its ownership, the estimated cost of any acquisition, labor, escrow, condemnation and summary of total right of way phase project costs.
 - 3.1.2 Appraisal Waivers will be written if it is valued under \$25,000 in the Preliminary Funding Estimate process, and which are deemed to be "non-complex".
 - 3.1.3 CERTIFIED will hire a WSDOT-approved appraiser who will provide a full narrative before and after appraisal if the parcel is identified in the PFE as being a "non-complex" acquisition valued under \$25,000.

Task 4 - Appraisal Review

Assumptions:

- Appraisal Reviews are not necessary for acquisitions valued under \$25,000 according to state and federal funding source requirements, and the Agency's approved right of way procedures.

Insert date

C E R T I F I E D
L A N D S E R V I C E S C O R P O R A T I O N

**SCOPE OF WORK AND COST ESTIMATE: City of Des Moines
Gateway Project/Segment 1A Parcel 48**

- 4.1.1 CERTIFIED will hire a WSDOT-approved appraisal reviewer who will provide appraisal review services if the parcel is valued over \$25,000 in the PFE and/or is appraised.
- 4.1.2 The AGENCY will set just compensation for all parcels from which offers to property owners will be made.

Task 5 – Administrative

Assumptions:

- All forms and conveyance documents will be WSDOT or agency-approved templates.
- 5.1.1. CERTIFIED will provide signature ready legal documents that will be used to convey fee or temporary construction easement rights for all parcels.
 - 5.1.2. CERTIFIED will order a title commitment for the parcel with Schedule B showing exceptions listed; copies of vesting deeds and supporting documents for all liens and encumbrances of record will be included.
 - 5.1.3. The PRIME will provide all legal descriptions.
 - 5.1.4. The PRIME will provide approved right of way plans.
 - 5.1.5. The PRIME will provide an exhibit map for each fee take and permanent easement on the project.
 - 5.1.6. CERTIFIED staff will maintain all records, files, documents and reports in accordance with statutory and WSDOT guidelines and regulations.
 - 5.1.7. CERTIFIED will provide the PRIME and the AGENCY with written status reports on a weekly basis, or as agreed upon with PRIME, and will provide verbal status reports on demand, as requested.

Task 6 - Negotiation

Assumptions:

- CERTIFIED agents will act in good faith at all times.
 - CERTIFIED staff will never coerce owners in an attempt to settle parcels.
 - CERTIFIED will provide the AGENCY with an Administrative Settlement letter for all requested administrative settlements.
 - CERTIFIED staff will work whatever hours are necessary, including evenings and weekends, to make themselves available to owners and their representatives.
- 6.1.1. CERTIFIED will prepare offer letters for all parcels.
 - 6.1.2. CERTIFIED agents will make at least 3 personal contacts with each owner with the intent of reaching settlement for the conveyance of property or property rights needed from each parcel. As many contacts as needed to reach settlement will be made, until it is mutually agreed between the AGENCY and CERTIFIED that negotiations should be suspended or given to the AGENCY Attorney to pursue eminent domain actions.
 - 6.1.3. CERTIFIED staff will explain the AGENCY's offer verbally and in writing.
 - 6.1.4. CERTIFIED staff will provide detailed written diaries for each parcel.
 - 6.1.5. CERTIFIED staff will transmit organized parcel files containing all pertinent information, documents, forms, diaries, and Disclaimer Statements.
 - 6.1.6. CERTIFIED staff will prepare a condemnation summary memo for any parcel that the AGENCY deems it is necessary to acquire through the exercising of its power of eminent domain.

Insert date

C E R T I F I E D
L A N D S E R V I C E S C O R P O R A T I O N

**SCOPE OF WORK AND COST ESTIMATE: City of Des Moines
Gateway Project/Segment 1A Parcel 48**

Task 7 – Relocation

Assumptions:

- There are no relocations on this project.
- Sign relocations will be considered cost to cure items addressed in appraisals and negotiations.

Task 8 – Title Review and Clearance/Closing

Assumptions:

- Clearance of monetary encumbrances is not required on acquisitions valued under \$10,000, according to state and federal funding source requirements.
 - CERTIFIED will determine AGENCY's title clearance policies; the AGENCY may require title clearance on acquisitions under \$10,000 depending on its internal policies.
 - Upon CERTIFIED's review of project parcel title commitments and the AGENCY's title clearance policies, CERTIFIED will make recommendations to the AGENCY on title clearance.
 - Subsequent to CERTIFIED's understanding of what title needs to be cleared, CERTIFIED will provide AGENCY with a summary of any title clearance costs not included in this cost estimate.
 - CERTIFIED reserves the right to amend the cost estimate for title clearance, based on the AGENCY's policies and our review of project parcel title commitments.
 - Monetary liens/encumbrances may be cleared in escrow, self-closed by CERTIFIED Land Services, or cleared by the property owner, according to state and federal funding source requirements, and AGENCY's policies.
 - AGENCY will pay property owners and/or encumbrance holders for any property or property rights acquired through the closing process.
 - AGENCY will pay for title reports, escrow fees (closing/clearing), any fees required to obtain partial reconveyances and/or clear monetary encumbrances including any fees for services such as specialized title clearance fees, lender and/or attorney fees for review and/or processing, and recording fees.
- 8.1.1 CERTIFIED will review title commitments for each parcel, and prepare a title summary listing all liens and encumbrances of record.
- 8.1.2 CERTIFIED will make recommendations regarding the clearance or acceptance of each lien and encumbrance, and discuss each with the AGENCY.
- 8.1.3 CERTIFIED will inform property owner(s), verbally and in writing, of any condemnation, due on sale, or acceleration clauses in owner's deed of trust/mortgage/real estate contract, and the risk associated therein, and that said deed of trust/mortgage/real estate contract may not be cleared from the portion AGENCY is acquiring.
- 8.1.4 CERTIFIED will make a recommendation whether acquisition(s) should be self-closed or closed in escrow, based on complexity and AGENCY policy.
- 8.1.5 CERTIFIED will prepare any documents needed for clearing any encumbrances as noted above.

Insert date

C E R T I F I E D
L A N D S E R V I C E S C O R P O R A T I O N

SCOPE OF WORK AND COST ESTIMATE: City of Des Moines
Gateway Project/Segment 1A Parcel 48

8.1.6 CERTIFIED will provide the AGENCY with complete files at the close of negotiations for each parcel. Included in our transmittal packages will be conveyance documents ready for the AGENCY to record.

Task 9 - Certification

Assumptions:

- CERTIFIED will provide WSDOT certification preparation and review.

Task 10 - Project Turnover

Assumptions:

- CERTIFIED will, at the completion of acquisition and certification, present the AGENCY with a comprehensive package containing all pertinent project information.

Insert date

C E R T I F I E D
L A N D S E R V I C E S C O R P O R A T I O N

**SCOPE OF WORK AND COST ESTIMATE: City of Des Moines
Gateway Project/Segment 1A Parcel 48**

COST ESTIMATE

This proposal is based on charging only for those hours worked. The outline of tasks and hours provided above are a guide to our understanding and approach to work.

PROJECT MANAGEMENT

Project Manager: 10 hours @ \$154 per hour = **\$1,540.00**
(Based on ___ hours each fee parcel ___ hours each temporary construction easement parcel and ___ hours for kick-off meeting; also includes management of appraiser and appraisal reviewer)

NEGOTIATION

Senior Acquisition Agent: 60 hours @ \$95 per hour = **\$5,700.00**

TITLE REVIEW & CLEARANCE / CLOSING

Senior Acquisition Agent: 20 hours @ \$95 per hour = **\$1,900.00**

TITLE REPORTS/PAYMENT TO OWNERS

Title Reports will be ordered by the CERTIFIED and paid for directly or as a direct reimbursable by the City and are not included in this cost estimate. The overall project scope of work calls for the AGENCY to pay directly for any escrow services and payments of just compensation to the property owners.

PRELIMINARY FUNDING ESTIMATE

CERTIFIED staff will prepare a PFE for the parcel. If the parcel valued under \$25,000
CERTIFIED will prepare an Appraisal Waiver Summary Sheet. **\$1,000.00**

APPRAISAL

If required, an appraiser is to be hired by CERTIFIED; for estimating purposes we will assume an appraisal will be \$6,500 or less.

APPRAISAL REVIEW

If required, a review appraiser is to be hired by CERTIFIED; for estimating purposes we will assume an appraisal will be \$1,000 or less.

ROW CERTIFICATION & PROJECT CLOSEOUT

Senior Project Manager: 4 hours @ \$154 per hour = **\$616.00**

ADMINISTRATIVE SUPPORT

Administrative Support: 6 hours @ \$61.50 per hour = **\$369.00**

REIMBURSABLES

Insert date

C E R T I F I E D
L A N D S E R V I C E S C O R P O R A T I O N

**SCOPE OF WORK AND COST ESTIMATE: City of Des Moines
Gateway Project/Segment 1A Parcel 48**

In addition to the above costs, reimbursable costs such as mileage, postage, phone and fax charges, or other reasonable costs will be billed at straight cost.

Estimated Reimbursables = **\$1,500**

TOTAL ESTIMATED COSTS W/O APPRAISAL & REVIEW = \$12,625.00

TOTAL ESTIMATED COSTS W/ APPRAISAL & REVIEW = \$20,125.00

NOTE:

IT IS OUR COMMITMENT TO PROVIDE YOU WITH EFFECTIVE AND COST EFFICIENT SERVICE. SINCE WE WERE ASKED TO PROVIDE A NOT TO EXCEED COST ESTIMATE, WE HAVE PROVIDED THIS ESTIMATE FOR YOUR BUDGETING PURPOSES. ALTHOUGH IT CANNOT BE GUARANTEED, IT IS OUR GOAL TO DELIVER THIS PROJECT WELL WITHIN THE ABOVE TOTAL ESTIMATED COSTS. WE WILL UNDER NO CIRCUMSTANCES EXCEED THIS ESTIMATE WITHOUT YOUR FULL CONSENT AND APPROVAL.

AUTHORIZATION

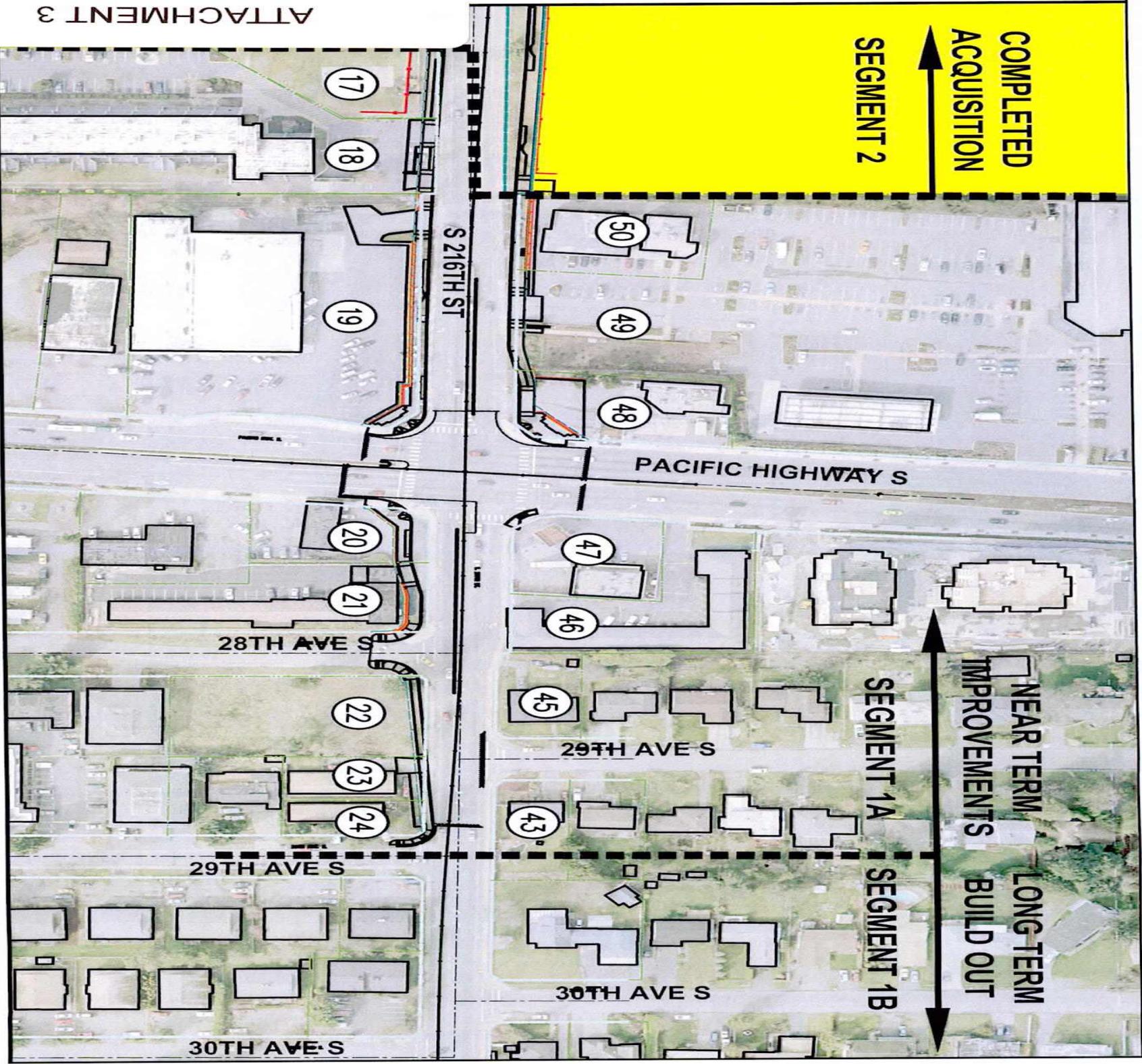
The scope of services and contractual conditions as described in this proposal are accepted and CERTIFIED Land Services Corporation is authorized to proceed.

By _____
Signature* **Printed Name**

For _____
PRIME/AGENCY **Date**

*Name of person with contractual authority responsible for payment of CERTIFIED Land Services Corporation billing.

Insert date



ATTACHMENT 3

COMPLETED
ACQUISITION

SEGMENT 2

NEAR TERM
IMPROVEMENTS

SEGMENT 1A

LONG TERM
BUILD OUT

SEGMENT 1B

S 216TH ST

PACIFIC HIGHWAY S

28TH AVE S

29TH AVE S

29TH AVE S

30TH AVE S

30TH AVE S

17

18

19

20

21

22

23

24

50

49

48

47

46

45

43



CITY OF DES MOINES
TRANSPORTATION GATEWAY PROJECT
SOUTH 216TH STREET - SEGMENT 1A

ROW & EASEMENT ACQUISITION

JULY 2012

NOTES:

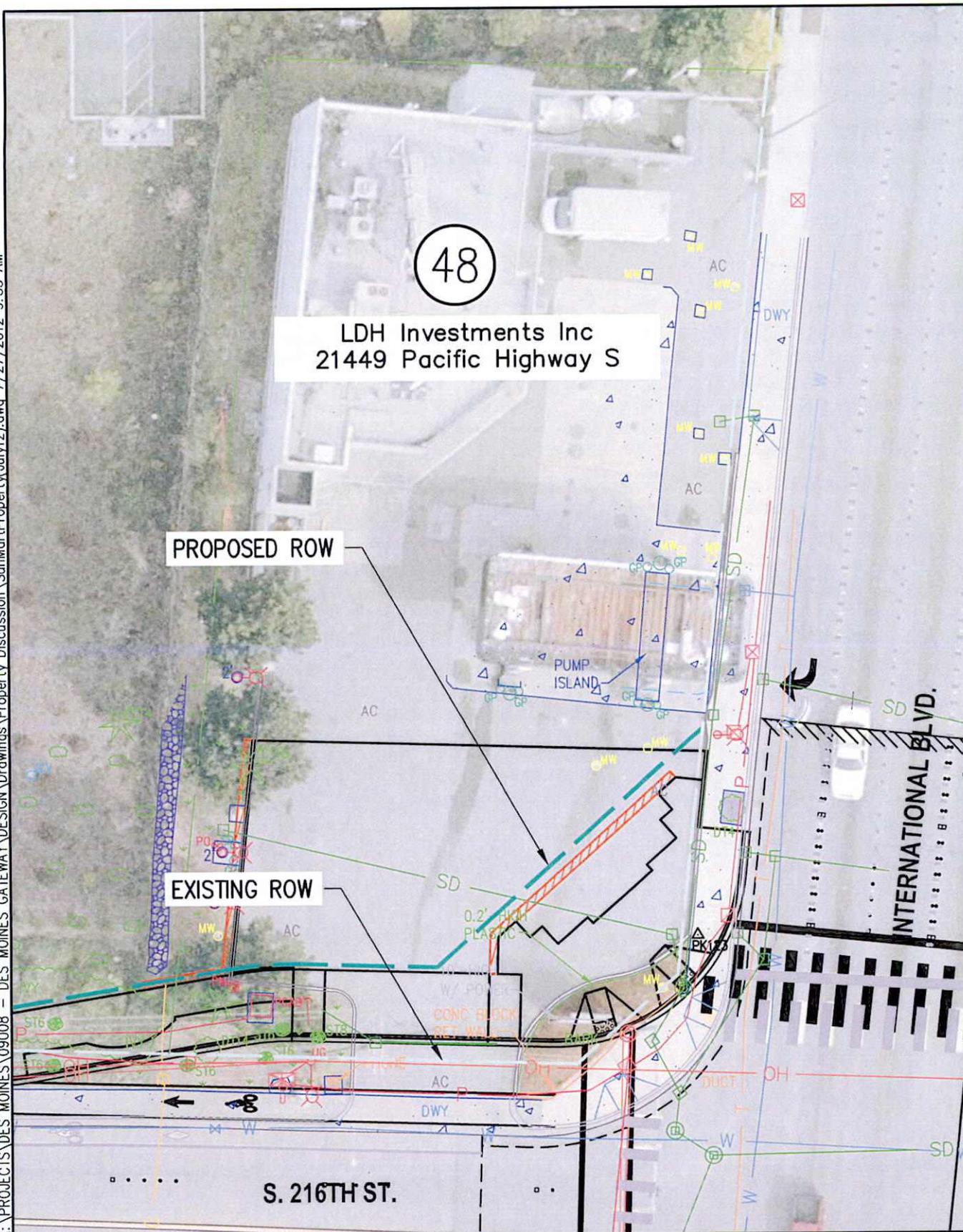
- ROW ACQUISITION COMPLETE
- ROW ACQUISITION PENDING



KPGA

753 9th Avenue N | 1117 Broadway
SOUTH WALKER | SUITE 301
2761 28th S.W. | BENTON, WA 99002
www.kpga.com | 509.327.2700

K:\PROJECTS\DES MOINES\09008 - DES MOINES GATEWAY\DESIGN\Drawings\Property Discussion\SumMartProperty\July12.dwg 7/27/2012 9:35 AM



PARCEL 48 ROW ACQUISITION
DES MOINES GATEWAY PROJECT S 216th St - SEG 1A

KPG
753 9th Ave N
Seattle, WA 98109
(206) 296-1640
www.kpg.com

2502 Jefferson Ave
Tacoma, WA 98402
(253) 627-0720



**Washington State
Department of Transportation**
Paula J. Hammond, P.E.
Secretary of Transportation

Transportation Building
310 Maple Park Avenue S.E.
P.O. Box 47300
Olympia, WA 98504-7300
360-705-7000
TTY: 1-800-833-6388
www.wsdot.wa.gov

July 8, 2010

Mr. Grant L. Fredricks
Director-Planning, Building and Public Works
City of Des Moines
21650 11th Avenue South
Des Moines, Washington 98198-6317

JUL 13 2010

orig *LW/CF*
cy: DB LM,
SR, LR

**City of Des Moines
Right of Way Procedures**

Dear Mr. Fredricks:

Recently, the WSDOT Headquarters, Real Estate Services Division, reviewed your agency's submittal of right of way procedures. Upon their review, the City of Des Moines right of way procedures are approved with the following requirements:

1. The city is approved to acquire with supervision from the region local agency coordinator. At a minimum the coordinator must review all parcel files prior to first offers being made to the property owner.
2. All appraisals, appraisal reviews, acquisitions and any relocation must be contracted for with qualified agencies or consultants and any relocation consultant must be monitored by the coordinator.

In addition the city is approved to use the FHWA approved waiver process of \$25,000.00 or less, including cost to cure items. If you have any questions regarding the provisions, please contact Tom Boyd, Northwest Region LA Coordinator, at (206) 440-4205, or Galen Wright, Real Estate Services, Olympia, at (360)705-7308.

Sincerely,

Ruth McIntyre
Standards and Procedures Engineer
Highways & Local Programs Division

RWM:ac
Enclosure

cc: Galen Wright, Real Estate Services, MS 47338
Ed Conyers, Northwest Region Local Programs, MS NB82-121 w/enclosure
Tom Boyd, Northwest Region, MS NB82-118 w/enclosure

ATTACHMENT 5

City of Des Moines Right-of-Way Procedures

AGENCY: City of Des Moines, WA

The City of Des Moines ("AGENCY"), desiring to acquire Real Property in accordance with the state Uniform Relocation Assistance and Real Property Acquisition Act (Ch. 8.26 RCW) and state regulations (Ch. 468-100 WAC) and applicable federal regulations, hereby adopts the following procedures to implement the above statutes and Washington Administrative Code. The **Planning, Building, and Public Works Department** ("Department") of the AGENCY is responsible for the real property acquisition and relocation activities on projects administered by the AGENCY. To fulfill the above requirements the "Department" will acquire right of-way in accordance with the policies set forth in the Washington State Department of Transportation Right of Way Manual and Local Agency Guidelines manual (M 36-63). The AGENCY has the following expertise and personnel capabilities to accomplish these functions:

1. Include the following as they relate to the AGENCY's request.

- a. List the functions below for which the agency has qualified staff and the responsible position. Attach a list of the individuals on the AGENCY staff who currently fill those positions and a brief summary of their qualifications. This list will need to be updated whenever staffing changes occur. An AGENCY will be approved to acquire based upon staff qualifications.

(1) PROGRAM ADMINISTRATION

Agency Position: Planning, Building and Public Works Director

(2) APPRAISAL

Agency Position: Qualified Consultant

(3) APPRAISAL REVIEW

Agency Position: Qualified Consultant

(4) ACQUISITION

Agency Position: Qualified Consultant

(5) RELOCATION

Agency Position: Qualified Consultant

**SUBJECT TO REQUIREMENTS LISTED IN
RIGHT OF WAY PROCEDURES APPROVAL LETTER**

(6) PROPERTY MANAGEMENT

Agency Positions: Finance Director
Planning, Building and Public Works Director
City Attorney

- b. Any functions for which the Agency does not have staff will be contracted for with WSDOT, another local agency with approved procedures or an outside contractor. An AGENCY that proposes to use outside contractors for any of the above functions will need to work closely with the WSDOT Local Agency Coordinator and Highways and Local Programs to ensure all requirements are met. When the AGENCY proposes to have a staff person negotiate who is not experienced in negotiation for FHWA funded projects the Coordinator must be given a reasonable opportunity to review all offers and supporting data before they are presented to the property owners.
 - c. An AGENCY wishing to take advantage of an Appraisal Waiver process on properties valued up to \$25,000 or less should make their proposed waiver process a part of these procedures. The process outlined in LAG manual Appendix 25.146 has already been approved. The AGENCY may submit a process different than that shown and it will be reviewed and approved if it provides sufficient information to determine value.
 - d. Attach a copy of the Agency's administrative settlement policy showing the approving authority(s) and the process involved in making administrative settlements.
2. All projects shall be available for review by the FHWA and the state at any time and all project documents shall be retained and available for inspection during the plan development, right-of-way and construction stages and for a three year period following acceptance of the projects by WSDOT.
3. Approval of the AGENCY's procedures by WSDOT may be rescinded at any time the Agency is found to no longer have qualified staff or is found to be in non-compliance with the regulations. The rescission may be applied to all or part of the functions approved.

CITY OF DES MOINES

Approved By:  6/14/10
Anthony A. Piasecki, City Manager Date

At the direction of the Des Moines
City Council taken at an open public
meeting on 6-10-10.

WASHINGTON STATE DEPARTMENT
OF TRANSPORTATION

Approved By:  6/30/10
Real Estate Services Date

WAIVER OF APPRAISAL

The City of Des Moines desiring to acquire Real Property according to 23 CFR, Part 635, Subpart C and State directives and desiring to take advantage of the \$25,000.00 appraisal waiver process approved by the Federal Highway Administration for Washington State, hereby agrees to follow the procedure approved for the Washington State Department of Transportation as follows:

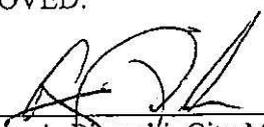
Rules

- A. The City of Des Moines may elect to waive the requirement for an appraisal if the acquisition is simple and the compensation estimate indicated on the PFE (Project Funding Estimate) is \$25,000.00 or less including cost-to cure items.
- B. The Agency must make the property owner(s) aware that an appraisal has not been done on the property and that one will be completed if they desire.
- C. Special care should be taken in the preparation of the waiver. As no review is mandated, the preparer needs to assure that the compensation is fair and that all the calculations are correct.

Procedures

- A. An Administrative Offer Summary (AOS) is prepared using data from the PFE.
- B. The AOS is submitted to the City Engineer for approval.
- C. The Planning, Building, and Public Works Director signs the AOS authorizing a first offer to the property owner(s).

APPROVED:



Anthony A. Piasecki, City Manager
City of Des Moines

Date

6/14/10



Galen Wright
Real Estate Services
Washington State Department
of Transportation

Date

6/30/10

At the direction of the Des Moines
City Council taken at an open public
meeting on 6-10-10.

ADMINISTRATIVE SETTLEMENT PROCEDURES

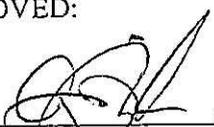
The City of Des Moines, Washington, shall to the greatest extent possible, expeditiously negotiate all fair market value offers for the acquisition of real property. However, the City recognizes the fact that differences of fair market value may occur with the property owner. These differences typically exceed the fair market value offered by the City. In such cases an Administrative Settlement may be necessary where, the City will continue to negotiate considering all information supporting just compensation in excess of fair market offers.

The City's negotiator will continue to work with the City staff and property owners towards a mutual and reasonable agreement of just compensation. All reasonable counter offers by the property owner are submitted to the City Engineer for review. If in agreement, the City Engineer will coordinate, with the assigned negotiator and other City staff, a letter of support towards an Administrative Settlement. Considerations in the letter may include, but not limited to, all available pertinent appraisals, range of testimony in a condemnation trial, construction schedules, prior court awards, trial costs (legal counsel) and the public interest.

The City Engineer will then forward and review the letter of support with the Planning, Building, and Public Works Director. At that time, the Planning, Building, and Public Works Director may accept, deny or request further review from the City Attorney's Office or other City staff.

Once the Administrative Settlement is accepted by the Planning, Building, and Public Works Director, the matter is then forwarded and presented in a form of a motion to the City Council for approval.

APPROVED:



Anthony A. Plasecki, City Manager
City of Des Moines



Galen Wright
Real Estate Services
Washington State Department of
Transportation

Date

6/14/10

Date

6/30/10

At the direction of the Des Moines
City Council taken at an open public
meeting on 6-10-10.

AGENCY STAFF POSITIONS & QUALIFICATIONS

City of Des Moines staff will be responsible for the Program Administration and Property Management functions. The following positions and individuals are identified below. Position descriptions and qualifications are available.

Planning, Building and Public Works Director: Grant Fredricks, PE

Assistant Director – Transportation Engineering: Daniel J. Brewer, PE

Assistant Director – Surface Water Management and Utilities: Loren Reinhold, PE

Finance Director: Paula Henderson

City Attorney: Pat Bosmans



2012 - 2017 CAPITAL IMPROVEMENT PLAN Transportation CIP Fund

CAPITAL IMPROVEMENT PLAN REQUEST FORM

CATEGORY	Transportation	PROJECT NO.	319.332
PROGRAM	Des Moines Transportation Gateway	Project Type:	Capacity
PROJECT	South 216th Street Improvement - Segment 1-A (29th to 24th)	Council Goals met:	1, 2, 3
		Council Objectives met:	
		Project Status	Adopted
LOCATION	S. 216th St - 29th Avenue to 24th Avenue South including the Pacific Highway South Intersection		
DESCRIPTION:	Widen roadway to 5 lanes with a continuous left turn lane, bicycle lanes, sidewalks planter strips and U-turn pockets at Pacific Highway S. Formerly S. 216th St, Segment 1 (I-5 to 24th Avenue S), this project is the first of two stages.		

EXPENDITURE SCHEDULE

COST ELEMENTS	TOTAL*	FY 09 Act	FY 10 Act	FY 11 Est	FY 11 Amend	FY 12	FY 13	FY 14	FY 15	FY 16	FY 17
ADMIN (CITY STAFF)	\$ 275,174	\$ 16,235	\$ 17,939	\$ 16,000	\$ 16,000	\$ 20,000	\$ 20,000	\$ 20,000	\$ 35,000	\$ 80,000	\$ 50,000
CIP PROJ MANAGEMENT	50,000		-	-		-	5,000	5,000	5,000	20,000	15,000
DESIGN / ENGINEERING	794,965	296,604	190,890	167,471	167,471	80,000	15,000	15,000	15,000	15,000	
LAND	1,700,000						200,000	400,000	600,000	500,000	
ROW SERVICES	510,000						90,000	90,000	180,000	150,000	
IMPROVEMENTS	3,924,530									2,353,000	1,571,530
INSPECTION	490,972									282,360	208,612
CONTINGENCY	625,000					25,000	30,000	30,000	60,000	310,000	170,000
Utility Undergrounding	127,400										127,400
Highline Water District	39,500									39,500	
OTHER	-										
TOTAL	\$ 8,537,541	\$ 312,839	\$ 208,829	\$ 183,471	\$ 183,471	\$ 125,000	\$ 360,000	\$ 560,000	\$ 895,000	\$ 3,749,860	\$ 2,142,542

FUNDING SOURCES	TOTAL*	FY 09 Act	FY 10 Act	FY 11 Est	FY 11 Amend	FY 12	FY 13	FY 14	FY 15	FY 16	FY 17
PWTF Loan (confirmed)	\$ 325,000	\$ 243,750	\$ 67,500	\$ 13,750	\$ 13,750	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Federal STP (Unconfirmed)	2,500,000									1,500,000	1,000,000
Federal Grant (Unconfirmed)	800,000						100,000	100,000	175,000	225,000	200,000
TRAFFIC IMPACT FEES	120,000			-			5,000	25,000	30,000	30,000	30,000
IN-LIEU FEES (unconfirmed) 1/4	2,104,116				-		230,000	430,000	660,000	700,000	84,116
TIB (Unconfirmed)	2,000,000									1,200,000	800,000
Highline Water District	39,500									39,500	
2008 Bond Proceeds	-		13,750	(13,750)	(13,750)						
Transportation CIP Fund	648,925	69,089	127,579	183,471	183,471	125,000	25,000	5,000	30,000	55,360	28,426
TOTAL	\$ 8,537,541	\$ 312,839	\$ 208,829	\$ 183,471	\$ 183,471	\$ 125,000	\$ 360,000	\$ 560,000	\$ 895,000	\$ 3,749,860	\$ 2,142,542

*Excludes FY 11 Amd

AGENDA ITEM

BUSINESS OF THE CITY COUNCIL
City of Des Moines, WA

SUBJECT: Draft Resolution 12-118
TIB Funding Certification for the
South 216th Street Project (Segment 2:
18th Ave. S. to 24th Ave. S)

AGENDA OF: August 30, 2012

DEPT. OF ORIGIN: Planning, Building & Public
Works

DATE SUBMITTED: August 21, 2012

ATTACHMENTS:

1. Draft Resolution No. 12-118
2. Transportation Improvement Board Award Letter, November 18, 2011
3. RCW 47.26.84
4. King County Metro Letter, August 18, 2011
5. Adopted CIP budget Worksheet
6. 2013-2018 Budget Worksheet (Draft)

CLEARANCES:

- Legal PB
- Finance pl
- Marina N/A
- Parks, Recreation & Senior Services N/A
- Planning, Building & Public Works AA
- Police N/A

APPROVED BY CITY MANAGER

FOR SUBMITTAL: [Signature]

Purpose and Recommendation:

The purpose of this Agenda Item is to approve Draft Resolution 12-118 (Attachment 1), certifying to the Washington State Transportation Improvement Board (TIB) that the City has secured local and/or private funding for the construction of the South 216th Street – Segment 2 (18th Avenue South to 24th Avenue South) Improvement Project, and to authorize staff to advertise the project for construction bids once all utility agreements for the project have been completed. This item will appear on the Consent Calendar.

Suggested Motion

“I move to approve Draft Resolution No 12-118 certifying to the Washington State Transportation Improvement Board (TIB) that local funding is secured, authorize the City Manager or his designee to sign the TIB Project Funding Status Form and Fuel Tax Grant Distribution Agreement, and further authorize Administration to advertise the S. 216th Street – Segment 2 (18th Avenue S to 24th Avenue South) improvement project for construction bids upon completion of utility agreements.”

Background

Widening and improvement of S. 216th Street - Segment 2 (18th Ave. S. to 24th Ave. S.) is an element of the City of Des Moines Comprehensive Plan and an adopted project in the 2012 Capital Improvement Program (Project #319.333). This arterial segment is one of the three roadway segments referred to collectively as the Transportation Gateway Project. This roadway will be widened with additional travel lanes in each direction, a center turn lane, bicycle lanes, curbs, gutters, sidewalks, underground wiring, LED street and pedestrian lighting, and a new storm drainage and treatment system.

Discussion

The City applied for TIB funding for the improvements on August 30, 2011 requesting \$4,000,000 in construction funding towards the estimated \$7,479,699 required for the project including funds already spent for design and right-of-way as well as future construction and construction engineering services to complete the roadway improvements as detailed below:

Total Cost	
Engineering & Special Studies	725,105
Rights of Way	429,818
Construction Engineering/Other	919,409
Construction Contract	5,405,367
Total TIB Funding Request	7,479,699
Funding Partners	
State TIB	4,000,000
Des Moines (PWTF Loan, Port, 2008 Bonds, Traffic Impact Fees)	3,324,907
Franchise Utilities (Midway, Highline, Comcast, CenturyLink)	134,792
King County Metro	20,000
Total Funding	7,479,699

On November 18, 2012 the TIB approved the \$4,000,000 grant (Attachment 2). The City is required to certify funding by signing and returning the Project Funding Status Form as well as the Fuel Tax Grant Distribution Agreement included with the TIB award letter. The TIB requires that the City certify that funding is in place prior to approving the project for advertising and construction. This must be completed by November 18, 2012 or the grant funds will be reassigned to another TIB project. RCW 47.26.84 is provided as Attachment 3.

King County Metro has also committed \$20,000 for transit stop improvements (Attachment 4).

Design, environmental, and right-of-way work is complete. The City's design consultant is finalizing the construction documents for bid advertisement. Utility agreements are being finalized, and will be brought before the City Council in September for approval.

Alternatives

The deadline to provide this certification to the TIB is November 18, 2012. Council could defer certification to a future Council meeting in September or October. This would delay the advertisement of the project, and ultimately the start of the construction project.

Financial Impact

This project is included in the adopted 2012 Capital Improvement Program (Attachment 5). The Des Moines Creek Business Park Second Development Agreement with the Port of Seattle, approved by the Council on June 14, 2012 provides \$2.5 million of matching "local" funds for the project as their contribution toward frontage improvements on this roadway segment. The residual funds required for local match have been spent during design and right of way acquisition.

The Draft 2013-2018 CIP budget worksheet is included as Attachment 6, which provides the most up to date budget information for the project. Note that the \$1,051,166 difference between the \$7,479,699 TIB application number above from 2011 and the current 2012 estimate of total project cost of \$8,530,675 is accounted for by the value of the WSDOT transfer (\$816,000), Port of Seattle transfer (\$254,964) and refinements to the cost estimates over the past year.

Recommendation or Conclusion

Staff recommends adoption of the motion.

Concurrence

The Legal, Finance, Planning, Building and Public Works Departments concur.

ENGINEER'S FIRST DRAFT 07/25/12

RESOLUTION NO. 12-118

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DES MOINES, WASHINGTON, certifying funding for the City of Des Moines S. 216th Street - Segment 2 (18th Ave. S. to 24th Ave. S.) Improvement Project.

WHEREAS, the City Council of Des Moines exists to promote the welfare of the citizens of Des Moines, Washington, and recognizes that improvements to S. 216th Street are necessary to sustain mobility and serve economic growth of the City, and

WHEREAS, the Comprehensive Transportation Plan for the City of Des Moines, was adopted as an element of the Comprehensive Plan and recommends that this roadway be widened to five lanes including bicycle and pedestrian improvements, and

WHEREAS, design of this Project is complete, the City has secured the necessary right of way for construction of the Project, and the City is prepared to advertise the Project for construction bids, and

WHEREAS, the City of Des Moines applied for a grant from the Washington State Transportation Improvement Board (hereinafter "TIB") for a FY 2013 TIB Urban Corridor Project: S. 216th Street Improvements, Segment 2 (18th Avenue South to 24th Avenue S.), including its intersection with 24th Avenue S., and

WHEREAS, on November 18, 2011 the TIB awarded \$4,000,000 in state TIB funds, subject to certification that local matching funds are reserved for the improvements pursuant to RCW 47.26.084, and

WHEREAS, the City of Des Moines and the Port of Seattle have approved the 2nd Development Agreement for the Des Moines Creek Business Park whereby the Port of Seattle agreed to provide \$2.5 million in funding for the S. 216th Street improvements, and

WHEREAS, King County Metro has agreed to provide up to \$20,000 in matching funds towards design and construction of new transit facility improvements; now therefore,

Resolution No. _____
Page 2 of _____

THE CITY COUNCIL OF THE CITY OF DES MOINES RESOLVES AS FOLLOWS:

Funding for the S. 216th Street - Segment 2 (18th Ave. S. to 24th Ave. S.) Improvement Project is secured and the City Council certifies that the necessary local matching funds will be available for construction.

ADOPTED BY the City Council of the City of Des Moines, Washington this _____ day of August, 2012 and signed in authentication thereof this _____ day of _____, 2012.

M A Y O R

APPROVED AS TO FORM:

City Attorney

ATTEST:

City Clerk



Washington State Transportation Improvement Board

TIB Members

Mayor James Irish, Chair
City of La Center

Commissioner Mike Wilson, Vice
Chair
Greys Harbor County

Councilmember Jeanne Burbidge
City of Federal Way

Todd Coleman, P.E.
Port of Vancouver

Councilmember Sam Crawford
Whatcom County

Kathleen Davis
WSDOT

Mark Freiburger, P.E.
City of Sedro-Woolley

Councilmember William Gohmann, P.E.
City of Spokane Valley

Secretary Paula Hammond, P.E.
WSDOT

Paul Ingiosi
Office of Financial Management

Commissioner Greg Partch
Whitman County

Laura Philpot
City of Sammamish

Heldi Stamm
HS Public Affairs

Harold Taniguchi
King County Metro Transit

Steve Thomsen, P.E.
Snohomish County

John Vodopich
City of Bonney Lake

Jay Weber
County Road Administration Board

Ralph Wessels, P.E.
Bicycle Alliance of Washington

November 18, 2011

NOV 22 2011

org - Lew
cy - DB, BC
GF, PH

Mr. Grant Fredricks
Public Works Director
City of Des Moines
21650 11th Avenue South
Des Moines, WA 98198-6317

Dear Mr. Fredricks:

Congratulations! We are pleased to announce the selection of your project, South 216th Street, 18th Ave S to 24th Ave S, TIB project number 8-1-110(006)-1. The total TIB funds for this project is \$4,000,000.

Before any work is allowed on this project, you must:

- Verify the information on the Program Funding Status form, revise if necessary, and sign;
- Submit the section of your adopted Six Year Transportation Improvement Plan listing this project;
- Sign both copies of the Fuel Tax Agreement;
- Return the above items to TIB;
- You may incur reimburseable expenses only after you receive approval from TIB.

In accordance with RCW 47.26.84, you must certify full funding by November 18, 2012 or the grant may be terminated. Grants may also be rescinded due to unreasonable project delay as described in WAC 479-05-211.

If you have questions, please contact Greg Armstrong, TIB Project Engineer, at (360) 586-1142 or e-mail GregA@TIB.wa.gov.

Sincerely,

Stevan Gorcester
Executive Director

Stevan E. Gorcester
Executive Director

P.O. Box 40901
Olympia, WA 98504-0901
Phone: 360-586-1140
Fax: 360-586-1165
www.tib.wa.gov

Enclosures

Attachment 2



Transportation Improvement Board
Project Funding Status Form

Agency: **DES MOINES**
 Project Name: South 216th Street
 18th Ave S to 24th Ave S

TIB Project Number: 8-1-110(006)-1

Verify the information below and revise if necessary.

Return to:
 Transportation Improvement Board
 PO Box 40901
 Olympia, WA 98504-0901

PROJECT SCHEDULE

	Date Shown on Application	Revised Dates
Construction Approval Date		
Contract Bid Award	Feb 2012	
Contract Completion	May 2013	

PROJECT FUNDING PARTNERS

List additional funding partners and amount.

Funding Partners	Amount	Revised Funding
DES MOINES	3,324,907	
WSDOT	0	
Federal Funds	0	
Franchise Utilities	134,792	
King County Metro	20,000	
TOTAL LOCAL FUNDS	3,479,699	

Both agency officials must sign the form before returning it to the TIB office.

Mayor or Public Works Director

 Signature

 Date

 Printed or Typed Name

 Title

Financial Officer

 Signature

 Date

 Printed or Typed Name

 Title



Washington State Transportation Improvement Board
Fuel Tax Grant Distribution Agreement

LEAD AGENCY:	DES MOINES
PROJECT NUMBER:	8-1-110(006)-1
PROJECT TITLE:	South 216th Street
PROJECT TERMINI:	18th Ave S to 24th Ave S

1.0 PURPOSE

The Washington State Transportation Improvement Board (hereinafter referred to as "TIB") hereby grants funds for the project specified in the attached documents, and as may be subsequently amended, subject to the terms contained herein. It is the intent of the parties, TIB and the grant recipient, that this Agreement shall govern the use and distribution of the grant funds through all phases of the project. Accordingly, the project specific information shall be contained in the attachments hereto and incorporated herein, as the project progresses through each phase.

This Agreement, together with the attachments hereto, the provisions of chapter 47.26 Revised Code of Washington, the provisions of title 479 Washington Administrative Code, and TIB Policies, constitutes the entire agreement between the parties and supercedes all previous written or oral agreements between the parties.

2.0 PARTIES TO AGREEMENT

The parties to this Agreement are TIB, or its successor, and the grant recipient, or its successor, as specified in the attachments.

3.0 TERM OF AGREEMENT

This Agreement shall be effective upon execution by TIB and shall continue through completion of each phase of the project, unless terminated sooner as provided herein.

4.0 AMENDMENTS

This Agreement may be amended by mutual agreement of the parties. Such amendments shall not be binding unless they are in writing and signed by personnel authorized to bind each of the parties.

5.0 ASSIGNMENT

The grant recipient shall not assign or transfer its rights, benefits, or obligations under this Agreement without the prior written consent of TIB. The grant recipient is deemed to consent to assignment of this Agreement by TIB to a successor entity. Such consent shall not constitute a waiver of the grant recipient's other rights under this Agreement.

6.0 GOVERNANCE & VENUE

This Agreement shall be construed and interpreted in accordance with the laws of the state of Washington and venue of any action brought hereunder shall be in the Superior Court for Thurston County.



Washington State Transportation Improvement Board
Fuel Tax Grant Distribution Agreement

7.0 TERMINATION

7.1 UNILATERAL TERMINATION

Either party may terminate this Agreement upon 30 days' prior written notice to the other party. If this Agreement is so terminated, the parties shall be liable only for performance rendered or costs incurred in accordance with the terms of this Agreement prior to the effective date of termination.

7.2 TERMINATION BY MUTUAL AGREEMENT

Either party may terminate this contract in whole or in part, at any time, by mutual agreement with a 30 calendar day written notice from one party to the other.

7.3 TERMINATION FOR CAUSE

In the event TIB determines the grant recipient has failed to comply with the conditions of this Agreement in a timely manner, TIB has the right to suspend or terminate this Agreement. TIB shall notify the grant recipient in writing of the need to take corrective action. If corrective action is not taken within 30 days, the Agreement may be terminated. TIB reserves the right to suspend all or part of the Agreement, withhold further payments, or prohibit the grant recipient from incurring additional obligations of funds during the investigation of the alleged compliance breach and pending corrective action by the grant recipient or a decision by TIB to terminate the Agreement. The grant recipient shall be liable for damages as authorized by law including, but not limited to, repayment of misused grant funds. The termination shall be deemed to be a Termination for Convenience if it is determined that the grant recipient: (1) was not at fault, or (2) failure to perform was outside of the grant recipient's control, fault or negligence. The rights and remedies of TIB provided in this Agreement are not exclusive and are in addition to any other rights and remedies provided by law.

7.4 TERMINATION FOR CONVENIENCE

TIB may, by ten (10) days written notice, beginning on the second day after the mailing, terminate this Agreement, in whole or in part, because federal or state funds are no longer available for the purpose of meeting TIB's obligations, or for any reason. If this Agreement is so terminated, TIB shall be liable only for payment required under this Agreement for performance rendered or costs incurred prior to the effective date of termination.

7.5 TERMINATION PROCEDURE

Upon receipt of notice of termination, the grant recipient shall stop work and/or take such action as may be directed by TIB.



Washington State Transportation Improvement Board
Fuel Tax Grant Distribution Agreement

8.0 AVAILABILITY OF TIB FUNDS

The availability of Transportation Improvement Board funds is a function of Motor Vehicle Fuel Tax collections and existing contractual obligations. The local agency shall submit timely progress billings as project costs are incurred to enable accurate budgeting and fund management. Failure to submit timely progress billings may result in delayed payments or the establishment of a payment schedule.

9.0 ATTACHMENTS

Attachments are incorporated into this agreement with subsequent amendments as needed.

Approved as to Form
This 14th Day of February, 2003
Rob McKenna
Attorney General

By:

Signature on file

Elizabeth Lagerberg
Assistant Attorney General

Lead Agency

Transportation Improvement Board

Signature of Chairman/Mayor Date

Executive Director Date

Print Name

Print Name



Washington State Transportation Improvement Board
Fuel Tax Grant Distribution Agreement

LEAD AGENCY:	DES MOINES
PROJECT NUMBER:	8-1-110(006)-1
PROJECT TITLE:	South 216th Street
PROJECT TERMINI:	18th Ave S to 24th Ave S

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Washington State Transportation Improvement Board
Fuel Tax Grant Distribution Agreement

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Washington State Transportation Improvement Board
Fuel Tax Grant Distribution Agreement

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Approved as to Form
This 14th Day of February, 2003
Rob McKenna
Attorney General

By:

Signature on file

Elizabeth Lagerberg
Assistant Attorney General

Lead Agency

Transportation Improvement Board

Signature of Chairman/Mayor

Date

Executive Director

Date

Print Name

Print Name

Attachment 1

Project Funding Summary

Project Information

Lead Agency **DES MOINES**
Project Number **8-1-110(006)-1**
Project Title **South 216th Street**
Project Termini **18th Ave S to 24th Ave S**

TIB funds for the project are:

Phase	TIB Funds
Design	0
Right of Way	0
Construction	4,000,000
Total Grant	<hr/> 4,000,000



WASHINGTON STATE LEGISLATURE

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- ★ Civic Education
- ★ History of the State Legislature

Outside the Legislature

- ★ Congress - the Other Washington
- ★ TVW
- ★ Washington Courts
- ★ OFM Fiscal Note Website



[RCWs](#) > [Title 47](#) > [Chapter 47.26](#) > [Section 47.26.084](#)

[47.26.050](#) << [47.26.084](#) >> [47.26.086](#)

RCW 47.26.084

Transportation improvement account — Small city program — Certification of funding.

(1) The transportation improvement account is hereby created in the motor vehicle fund. The intent of the program is to:

(a) Improve mobility of people and goods in Washington state by supporting economic development and environmentally responsive solutions to our statewide transportation system needs;

(b) Improve the arterial street system of the state by improving mobility and safety while supporting an environment essential to the quality of life of the citizens of the state; and

(c) Maintain, preserve, and extend the life and utility of prior investments in transportation systems and services.

(2) The small city program, as provided for in RCW [47.26.115](#), is implemented within the transportation improvement account.

(3) Within one year after board approval of an application for funding, a county, city, or transportation benefit district shall provide written certification to the board of the pledged local and/or private funding. Funds allocated to an applicant that does not certify its funding within one year after approval may be reallocated by the board.

[2011 c 120 § 6; 1999 c 94 § 17; 1994 c 179 § 10; 1988 c 167 § 2.]

Notes:

Legislative finding--Effective dates -- 1999 c 94: See notes following RCW [43.84.092](#).

Savings -- Severability -- 1988 c 167: See notes following RCW [47.26.121](#).

Attachment 3



King County

Department of Transportation
Office of Regional Transportation Planning
201 South Jackson, Suite 0811
Seattle, WA 98104-3856
www.kingcounty.gov

August 18, 2011

Grant Fredricks, Director
Planning, Building and Public Works Department
City of Des Moines
21630 11th Avenue South, Suite D
Des Moines, WA 98198

Dear Mr. ^{Grant}Fredricks:

The King County Department of Transportation (KCDOT) is pleased to support the City of Des Moines' application for the FY 2013 Washington State Transportation Improvement Board (TIB) Urban Corridor Program funding for their *Transportation Gateway Project: South 216th Street Segment 2*. State funding would allow for transit stop, bicycle and pedestrian improvements.

The Des Moines project is located in an area currently planned for intense redevelopment, including a new business park. Improved transit access will be important as transit ridership is expected to increase upon completion of the redevelopment. The scope of this project includes design, securing right-of-way, constructing King County Metro Transit's standard bus shelter footings at all stops, ADA ramps, pedestrian lighting, continuous sidewalks, bike lanes, and sustainable solar lighting in the bus shelters.

On August 15, 2011, King County Council enacted a two-year, \$20 Congestion Reduction Charge. Contingent upon securing subsequent funding sources to maintain current service levels beyond 2013, KCDOT Metro Transit Division is willing to contribute up to \$20,000 in matching funds towards design and construction of these transit facility improvements.

We hope you are successful in securing funding for this important project.

Sincerely,


for Ron Posthuma, Assistant Director
King County Department of Transportation

cc: Leonard Madsen, Transportation Project Manager, Des Moines Public Works Department



2012 - 2017 CAPITAL IMPROVEMENT PLAN
Transportation CIP Fund

**CAPITAL IMPROVEMENT PLAN
REQUEST FORM**

CATEGORY	Transportation	PROJECT NO.	319.333
PROGRAM	Des Moines Transportation Gateway	Project Type:	Capacity
PROJECT	South 216th Street Improvement - Segment 2	Council Goals met:	1, 2, 3
		Council Objectives met:	
		Project Status	Adopted

LOCATION	18th Avenue South to 24th Avenue South
DESCRIPTION:	Widen Roadway to 5 lanes and provide a continuous center turn lane, bike lanes, transit stops, curb, gutter, planters and sidewalks, and a new signalized intersection at 20th Avenue S.

EXPENDITURE SCHEDULE

COST ELEMENTS	TOTAL*	FY 08 Act	FY 09 Act	FY 10 Act	FY 11 Est	FY 11 Amend	FY 12	FY 13	FY 14	FY 15	FY 16	FY 17
ADMIN (CITY STAFF)	\$ 129,117	\$ 972	\$ 16,027	\$ 17,118	\$ 20,000	\$ 20,000	\$ 35,000	\$ 40,000				
CIP PROJ MANAGEMENT	15,000				-	-	10,000	5,000				
DESIGN / ENGINEERING	690,988	9,471	191,017	284,506	185,994	185,994	20,000					
LAND	75,572				59,507	106,767	16,065					
LAND - Port of Seattle	254,964				254,964	254,964						
LAND - WSDOT (Portion of Seg. 1)	816,000				816,000							
ROW SERVICES	67,031			12,275	48,672	55,812	6,084					
IMPROVEMENTS	4,052,837		22,470				2,821,257	1,209,110				
Alt. Improvements (TIB App.)	775,000						540,000	235,000				
INSPECTION	720,000						504,000	216,000				
CONTINGENCY	618,674				43,674	25,035	210,000	365,000				
Underground PSE Utilities	88,112						70,490	17,622				
Comcast	44,855						35,885	8,970				
CenturyLink (Qwest)	50,637						40,510	10,127				
Midway Sewer	-											
Highline Water District	15,000						15,000					
OTHER	-											
TOTAL	\$ 8,413,787	\$ 10,443	\$ 229,514	\$ 313,899	\$ 1,428,811	\$ 648,572	\$ 4,324,291	\$ 2,106,829				

FUNDING SOURCES	TOTAL*	FY 08 Act	FY 09 Act	FY 10 Act	FY 11 Est	FY 11 Amend	FY 12	FY 13	FY 14	FY 15	FY 16	FY 17
PWTF Loan (confirmed)	\$ 345,000	\$ -	\$ 108,750	\$ -	\$ 236,250	\$ 236,250	\$ -	\$ -				
TRAFFIC IMPACT FEES	20,000				-	10,000	10,000	10,000				
IN-LIEU FEES (unconfirmed)	2,225,000						2,000,000	225,000				
POS ROW Agreement	254,964				254,964	254,964						
LAND - WSDOT (Portion of Seg. 1)	816,000				816,000							
Federal Grant (Unconfirmed)	-						1,660,000	1,565,000				
TIB (Unconfirmed)	3,225,000						540,000	235,000				
Alt. TIB (Unconfirmed)	775,000											
2008 Bond Proceeds	430,597			309,000	121,597	121,597						
King County Metro	-											
Comcast	69,155						55,235	13,920				
Qwest	50,637						40,510	10,127				
Highline Water District	15,000						15,000					
Arterial Street Fund	10,443	10,443										
Transportation CIP Fund	176,991		120,764	4,899	-	25,761	3,546	47,782				
TOTAL	\$ 8,413,787	\$ 10,443	\$ 229,514	\$ 313,899	\$ 1,428,811	\$ 648,572	\$ 4,324,291	\$ 2,106,829				

*Excludes FY 11 Amd



2013 - 2018 CAPITAL IMPROVEMENT PLAN
Transportation CIP Fund

**CAPITAL IMPROVEMENT PLAN
REQUEST FORM**

CATEGORY Transportation
PROGRAM Des Moines Transportation Gateway
PROJECT South 216th Street Improvement - Segment 2

PROJECT NO. 319.333
Project Type: Capacity
Council Goals met: 1, 2, 3
Council Objectives met:
Project Status Adopted

LOCATION 18th Avenue South to 24th Avenue South

DESCRIPTION: Widen Roadway to 5 lanes and provide a continuous center turn lane, bike lanes, transit stops, curb, gutter, planters and sidewalks, and a new signalized intersection at 20th Avenue S.

EXPENDITURE SCHEDULE

COST ELEMENTS	TOTAL*	FY 08 Act	FY 09 Act	FY 10 Act	FY 11 Act	FY 12 Est	FY 12 Amend	FY 13	FY 14	FY 15	FY 16	FY 17	FY 18
ADMIN (CITY STAFF)	\$ 149,117	\$ 972	\$ 16,027	\$ 17,118	\$ 26,727	\$ 28,273	\$ 28,273	\$ 60,000					
CIP PROJ MANAGEMENT	25,000					10,000	10,000	15,000					
DESIGN / ENGINEERING	755,988	9,471	191,017	284,506	148,237	57,757	57,757	65,000					
LAND	75,572				34,503	41,069	41,069						
LAND - Port of Seattle	254,964				254,964								
LAND - WSDOT (Portion of Seg. 1)	816,000					816,000	816,000						
ROW SERVICES	67,031			12,275	22,109	32,647	32,647						
IMPROVEMENTS	4,827,837		22,470			-	2,821,257	4,805,367					
Alt. Improvements (TIB App.)	-					-	540,000	-					
INSPECTION	650,000					-	504,000	650,000					
CONTINGENCY	578,674					53,674	253,674	525,000					
Underground PSE Utilities	220,000					-	70,490	220,000					
Comcast	44,855					-	35,885	44,855					
CenturyLink (Qwest)	50,637					-	40,510	50,637					
Midway Sewer	-												
Highline Water District	15,000					-	15,000	15,000					
TOTAL	\$ 8,530,675	\$ 10,443	\$ 229,514	\$ 313,899	\$ 486,540	\$ 1,039,420	\$ 5,266,562	\$ 6,450,859					

FUNDING SOURCES	TOTAL*	FY 08 Act	FY 09 Act	FY 10 Act	FY 11 Act	FY 12 Est	FY 12 Amend	FY 13	FY 14	FY 15	FY 16	FY 17	FY 18
PWTF Loan (confirmed)	\$ 345,000	\$ -	\$ 108,750	\$ -	\$ 236,250	\$ -	\$ -	\$ -					
TRAFFIC IMPACT FEES	20,000					-	10,000	20,000					
POS D.A. FEES (Confirmed)	2,500,000					-	2,000,000	2,500,000					
POS ROW Agreement	254,964				254,964								
LAND - WSDOT (Portion of Seg. 1)	816,000					816,000	816,000						
Federal Grant (Unconfirmed)	-					-	-	-					
TIB (Confirmed)	4,000,000					-	1,660,000	4,000,000					
Alt. TIB (Unconfirmed)	-					-	540,000	-					
2008 Bond Proceeds	430,597			309,000		121,597	121,597	-					
King County Metro	20,000							20,000					
Comcast	69,155					-	55,235	69,155					
Qwest	50,637					-	40,510	50,637					
Highline Water District	15,000					-	15,000	15,000					
Arterial Street Fund	10,443	10,443											
Transportation CIP Fund	(1,121)		120,764	4,899	(4,674)	101,823	8,220	(223,933)					
TOTAL	\$ 8,530,675	\$ 10,443	\$ 229,514	\$ 313,899	\$ 486,540	\$ 1,039,420	\$ 5,266,562	\$ 6,450,859					

A G E N D A I T E M

BUSINESS OF THE CITY COUNCIL
City of Des Moines, WA

SUBJECT: National Recovery Month

FOR AGENDA OF: August 30, 2012

ATTACHMENTS:

- 1. Proclamation
- 2. King County Request for Proclamation

DEPT. OF ORIGIN: Legislative

DATE SUBMITTED: August 10, 2012

CLEARANCES:

- Legal NA
- Finance NA
- Marina NA
- Parks, Recreation & Senior Services NA
- Planning, Building & Public Works NA
- Police NA
- Courts NA

APPROVED BY CITY MANAGER
FOR SUBMITTAL: 

Purpose and Recommendation

The Mental Health, Chemical Abuse and Dependency Services Division of the King County Department of Community and Human Services has requested a proclamation from the Des Moines City Council declaring that September, 2012 is ***National Recovery Month***. The purpose of Recovery Month is to promote recovery, celebrate those in treatment, and continue to educate our community about how to overcome the barriers of stigma and discrimination associated with mental health issues and/substance use disorders.

Recovery Month spreads the message that behavioral health is essential to health and overall wellness, and that prevention works, treatment is effective, and people with substance use and mental health issues can and do recover. People in recovery lead healthier lifestyles and contribute in positive ways to their communities.

Suggested Motion

Motion: "I move that the City of Des Moines support **National Recovery Month** by passing the proposed proclamation."



City of Des Moines

ADMINISTRATION
21630 11TH AVENUE SOUTH, SUITE A
DES MOINES, WASHINGTON 98198-6398
(206) 878-4595 T.D.D.: (206) 824-6024 FAX: (206) 870-6540



PROCLAMATION

WHEREAS, behavioral health is an essential part of health and one's overall wellness, and prevention works, treatment is effective, and people can and do recover from substance use and mental disorders; and

WHEREAS, all people have the fundamental and inherent value to be accepted and treated with respect, human dignity, and worth; and

WHEREAS, individuals should have access to fully participate in community life including economic advancement and prosperity; fair and decent housing; quality education; positive opportunities to benefit from and contribute to material, cultural, and social progress; and

WHEREAS, it is critical to educate our policymakers, friends and family members, health care providers, and businesses that substance use and mental disorders are treatable, and that people should seek assistance for these conditions, with the same urgency as they would any other health condition; and

WHEREAS, to help more people achieve long-term recovery, and learn how recovery positively benefits the Nation's overall well-being, the U.S. Department of Health and Human Services, the Substance Abuse and Mental Health Services Administration, the White House Office of National Drug Control Policy invite all residents of the City of Des Moines to participate in National Recovery Month; and

NOW, THEREFORE, the Des Moines City Council of the City of Des Moines, Washington, does hereby proclaim the month of September 2012 as:

National Recovery Month

Prevention Works, Treatment is Effective, People Recover in Des Moines and call upon the people of Des Moines to observe this month with appropriate programs, activities, and ceremonies supporting this year's theme, Join the Voices for Recovery: It's Worth It.

Signed this ____ day of September, 2012.

Dave Kaplan, Mayor



King County

**Mental Health, Chemical Abuse
and Dependency Services Division**

Department of
Community and Human Services

CNK-HS-0400
The Chinook Building
401 Fifth Avenue, Suite 400
Seattle, WA 98104

206-263-9000
206-296-0583 Fax
206-205-1634 Fax – Clinical Services
205-205-0569 TTY/TDD

July 30, 2012

The Honorable Dave Kaplan
Mayor of City of Des Moines
21630 11th Avenue South - Suite A,
Des Moines, WA 98198-6398

RE: Request for a Proclamation for *Recovery Month* September 2012

Dear Mayor Dave Kaplan:

We are writing today to request your assistance in securing a proclamation from the City of Des Moines in declaring the month of September 2012 as *National Recovery Month*. Please join us in acknowledging this important issue. The theme for this year's *Recovery Month* is "**Join the Voices for Recovery: It's Worth It,**" which emphasizes that while the road to recovery may be difficult, the benefits of preventing and overcoming mental and/or substance use disorders are significant and valuable to the individual, their families, and our communities.

The purpose of *Recovery Month* is to promote recovery, celebrate those in treatment, and continue to educate our communities about how to overcome the barriers of stigma and discrimination. When a local government endorses *Recovery Month*, more people in their community are educated about the conditions of substance use disorders and mental health issues as well as the benefits that treatment and recovery support services have on our local communities and society. *Recovery Month* spreads the message that behavioral health is essential to health and overall wellness, and that prevention works, treatment is effective, and people with substance use and mental health issues can and do recover. People in recovery lead healthier lifestyles, both physically and emotionally, and contribute in positive ways to their communities.

Throughout the years, hundreds of proclamations have been signed to support *Recovery Month*, including 164 issued in communities across the country in 2011. The President of the United States has signed a proclamation declaring September as *Recovery Month* for the past 11 years, further recognizing substance use disorders and mental health issues as conditions that need to be addressed, just like any other illness. Last year, the Governor of the State of Washington, the King County Executive, and Mayors of 23 cities and towns in King County each signed

Attachment 2

proclamations declaring September **Recovery Month**. Our goal is that every city and town in King County will celebrate the lives reclaimed and proclaim September 2012 **Recovery Month**.

Now in its 23rd year, **Recovery Month** also honors the treatment and recovery service providers who assist the individuals and families with recovery. King County Mental Health, Chemical Abuse and Dependency Services Division (MHCADSD) contracts with service providers who deliver substance abuse and mental health services throughout King County, and we recognize their valuable contributions.

Each September, thousands of treatment and recovery programs and services around the country celebrate the recovery successes and share them with their neighbors, friends, and colleagues in an effort to educate the public about recovery, how it works, for whom, and why. There are millions of Americans whose lives have been transformed through recovery. These successes often go unnoticed by the broader population, therefore **Recovery Month** provides a vehicle to acknowledge and celebrate these accomplishments.

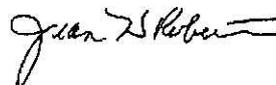
As part of our efforts to celebrate **Recovery Month** in September, King County MHCADSD is sponsoring the second Annual Recovery and Resiliency Conference as well as the Exemplary Service Awards Event. We would like you to join us in recognizing **Recovery Month** by issuing a proclamation. We have included a link [here](#) for you to review sample proclamations and have also included a link to the [National Recovery Month](#) website for further information. We are available to present additional information or testimony if that would be helpful. Please inform us if you intend to issue a proclamation, or if you have any questions about **Recovery Month**, by contacting Cheryl Goluch by e-mail at cheryl.goluch@kingcounty.gov or phone at 206-263-9111.

Thank you in advance for your consideration.

Sincerely,



Jim Vollendroff, MPA, NCACII, CDP
Assistant Division Director/ Substance Abuse
Prevention and Treatment Coordinator
206-263-8903



Jean Robertson, LICSW
Assistant Division Director/ RSN Administrator
206-263-8904

National
Recovery Month

Prevention Works · Treatment is Effective · People Recover

september 2012

Join the Voices for Recovery: It's Worth It

A G E N D A I T E M

BUSINESS OF THE CITY COUNCIL
City of Des Moines, WA

SUBJECT: Interlocal Agreement between the City of Des Moines and the Highline School District for a School Resource Officer

FOR AGENDA OF: August 30, 2012

DEPT. OF ORIGIN: Police

DATE SUBMITTED: August 23, 2012

ATTACHMENTS:

- 1. Proposed Interlocal Agreement between the City of Des Moines and the Highline School District for a School Resource Officer

CLEARANCES:

- Legal *VG*
- Finance NA
- Marina NA
- Parks, Recreation & Senior Services NA
- Planning, Building & Public Works NA
- Police *JS*
- Courts NA

APPROVED BY CITY MANAGER

FOR SUBMITTAL: *JS*

Purpose and Recommendation

“The purpose of this agenda item is to allow for the continuation of the School Resource Officer Program between the Des Moines Police Department and the Highline School District. The proposed interlocal agreement provides for an officer to be available for the District a minimum of twenty (20) hours a week while school is in session to help promote a positive and safe learning atmosphere for students. The District will compensate the City \$50,000 for the officer’s services. This agreement will be in place for the 2012-2013 school year and is similar in terms to agreements for previous years.”

Suggested Motion

Motion: "I move to approve the agreement between the City of Des Moines and the Highline School District continuing the School Resource Officer Program under the terms as described in the attached Interlocal Agreement, and to authorize the City Manager to sign the Agreement substantially in the form as submitted."

Background

The City of Des Moines started the School Resource Officer Program at Mount Rainier High School in the year 2000 with a grant from the Federal Government. The funding and the obligation under the

grant ended in 2004. In 2005 the City of Des Moines entered into an interlocal agreement with the Highline School District to continue the program. These agreements have remained in place until this year. Both City staff and District staff desire to continue this program.

Discussion

Staff at Mount Rainier High School, the School District Administration, and the Police Department, believe this is a very beneficial program and would like to see it continue. Incidents of school violence continue to be a grave concern with all public schools. Incident of assault, drug and gang activity do occur at the school and this program helps serve as a deterrent. The program also allows and provides for a strong police nexus to the youth in our community at a time and place in their development when they can be influenced by many negative factors. It is helpful to have an officer in the school community who can develop a rapport with the youth in a non confrontational setting.

The program would be modified slightly from the existing program to allow for the School Resource Officer to move between Highline school campuses within the City of Des Moines to help deal with police related incidents and also permit the assigned officer to work on traffic related enforcement concerns near campuses. The intent would be to have the assigned officer to continue to be based out of the high school but have greater flexibility to address campus wide issues. Additionally, the officer is to be at the school a minimum of twenty (20) hours per week while school is in session and is given the flexibility to respond to off-campus and non-school district situations if assistance is needed.

Alternatives

The Council could decide to discontinue the program.

Financial Impact

The District agrees to compensate the City of Des Moines \$50,000 toward salary and benefits for the officer assigned to the School Resource Officer position for the nine months an officer is assigned as a School Resource Officer. The estimated annualized cost for salary and benefits of an officer is \$133,350. However, the program only lasts while school is in session and does not require a full-time commitment.

Recommendation or Conclusion

It is staff's recommendation to approve the Interlocal Agreement between the City of Des Moines and the Highline School District to continue the School Resource Officer Program with Highline School District. The School District and the Police Department have developed a very positive relationship and are very supportive of this program. It is in the interest of both the City of Des Moines and the Highline School district to continue with this program.

AGREEMENT
For
SCHOOL RESOURCE OFFICER
Between
THE CITY OF DES MOINES and HIGHLINE SCHOOL DISTRICT 401

In Accordance with the Interlocal Cooperation Act (RCW 39.34), the City of Des Moines ("The City"), and Highline School District 401 ("The District"), each of which is a Washington Municipal Corporation, hereby enter into the following AGREEMENT:

RECITALS

WHEREAS:

- A. The District and the City desire to promote law enforcement and related services to Mount Rainier High School and other Highline District Schools within the City;
- B. A School Resource Officer Program has been proposed for Mount Rainier High School with additional services to other Highline District Schools within the City as hereinafter described;
- C. The District and the City recognize the potential benefits of the School Resource Officer Program to the citizens of the City and particularly to the students and staff of Mount Rainier High School; and
- D. It is in the best interest of the citizens and residents of the District and the City to establish this program,

NOW, THEREFORE, in consideration of the mutual promises and covenants herein contained, the Parties agree as follows:

I. TERM of AGREEMENT and RENEWAL

- 1.1 This Agreement shall be for one (1) school year.
- 1.2 This Agreement shall commence as of September 1, 2012 and shall terminate as of June 30, 2013.
- 1.3 This Agreement may be renewed by written agreement of all of the Parties.
- 1.4 This Agreement may be terminated by either party by 90 ninety (90) days written statement of termination directed to the other party. Should the agreement be terminated by either party, the City will reimburse the District on a prorated basis for any months remaining on the agreement at a rate of one-tenth of the annual fee for each full month.

II. SCHOOL RESOURCE OFFICER PROGRAM CONTINUED

2.1 A School Resource Officer Program has been established between the City of Des Moines Police Department ("Des Moines PD") and Mount Rainier High School ("the High School"), with additional services to other Highline District Schools located within the City of Des Moines. Said program is hereby continued for the term of this agreement.

2.2 Through the School Officer Resource Program, the High School and the Des Moines PD have committed to providing a safe, fun environment that promotes education and interaction with the students in a positive caring manner. This is accomplished with a committed partnership among the school, students, staff, parents, police department, and neighbors to enhance the schools and the community.

III. RIGHTS AND DUTIES OF THE DES MOINES PD

3.1 The Chief of the Des Moines PD ("the Chief") shall assign one (1) regularly employed police officer as a School Resource Officer ("SRO") to the High School who will also provide additional services to other Highline District Schools located within the City of Des Moines.

3.2 The SRO shall be assigned to the school district for a minimum of twenty (20) hours per week while school is in session. Additional time may be authorized by the department at the request of the school district not to exceed a total of forty (40) hours per week subject to department approval and provided the SRO's assistance is not required for other police activities away from the school. Absences from the school by the SRO during the school year for training or other Des Moines PD activities shall not exceed five (5) school days in duration at any one time. The Des Moines PD may temporarily reassign the SRO during school holidays and vacations.

3.3 The SRO shall also act as an instructor for specialized, short-term law enforcement related programs at the high school or other District schools within Des Moines when invited to do so by the principal or members of the faculty.

3.4 The SRO shall have the following additional duties and responsibilities:

3.4.1 When requested by the principal, the SRO shall attend parent/faculty meetings to solicit support and understanding of the program.

3.4.2 The SRO shall make himself/herself available for conferences with students, parents, and faculty members in order to assist them with problems of law enforcement or crime prevention in nature.

3.4.3 The SRO shall become familiar with all community agencies which offer assistance to youths and their families such as youth job placement assistance, mental health clinics, drug treatment centers, etc. The SRO shall make referrals to such

agencies when necessary thereby acting as a resource person to the students, faculty, and staff of the school.

3.4.4 The SRO shall assist the principal in developing plans and strategies to prevent and/or minimize dangerous situations that may result in student unrest.

3.4.5 Should it become necessary to conduct formal police interviews with the students, the SRO shall adhere to the Police Department Policy and legal requirements with regard to such interviews.

3.4.6 The SRO shall take law enforcement action as required, including but not limited to appropriate law enforcement action against intruders and unwanted guests who may appear at the school and related school activities. As soon as practicable, the SRO shall make the principal of the school aware of any law enforcement action.

3.4.7 The SRO shall give assistance to other police officers in matters regarding his/her school assignment, whenever necessary.

3.4.8 The SRO shall patrol the assigned school and surrounding neighborhoods in order to identify, investigate, and prevent incidents involving weapons, violence, harassment, intimidation, and other law violations. The SRO may also be assigned investigations related to runaways, assaults, thefts, and truancy, provided such investigations relate to the students attending the school to which the SRO is assigned. The SRO may also be assigned or provide traffic enforcement duties at the schools and surrounding neighborhoods. Such duties may include school zone speed enforcement.

3.4.9 The SRO shall maintain detailed and accurate records of the operation of the School Resource Officer Program.

3.4.10 The SRO shall not act as a school disciplinarian, as disciplining students is a school responsibility. The SRO shall not perform any non-law enforcement functions. However, if the principal believes an incident is a violation of the law, the principal may contact the SRO and the SRO shall then determine whether law enforcement action is appropriate. School Resource Officers are not to be used for regularly assigned duties such as lunchroom duty. If there is a problem area, the SRO may assist the school until the problem is solved.

3.4.11 The SRO shall have a primary obligation to the City, not the School District. This contract and performance thereof by the City police officers shall not create any special relationship with any person or duties to protect any specific persons from harm or injury including the party signing this contract. The law enforcement/peacekeeping duties to be performed pursuant to this contract are the same in extent and scope as those provided by police officers to every member of the public.

3.4.12 Any exceptions to the above must be mutually agreed upon by the Chief of Police of the Des Moines PD, the School District, and the School Principal.

IV. RIGHTS AND DUTIES OF THE DISTRICT

4.1 The District shall provide the SRO with the materials and facilities necessary to the performance of the SRO duties at the High School.

4.2 The following materials and facilities are deemed necessary to the performance of the SRO's duties:

4.2.1 Access to a properly lighted private office with a telephone that may be used for general business purposes.

4.2.2 A location for files and records that can be properly locked and secured.

4.2.3 A desk with drawers, a chair, work table, filing cabinet, and officer supplies.

4.2.4 Access to a typewriter, computer, and/or secretarial assistance.

V. FINANCING OF THE SCHOOL RESOURCE OFFICER

5.1 The District will compensate the City for a portion of the direct salary and benefits incurred for the assigned School Resource Officer for the ten month duration of the 2012-2013 school year. The District will pay to the City of Des Moines \$50,000 for the school year 2012-2013 for school resource officer services related to this agreement.

5.2 The City will invoice the District for the entire \$50,000 in salary and benefits to be incurred during the ten month period on or before the first day of each school year.

5.3 Any overtime hours requested and authorized by either party to this agreement shall be paid by the party requesting and authorizing the additional overtime hours. If the District requests and authorizes the overtime hours, the District will be separately invoiced by the City for the direct salary and related benefits for the overtime hours worked by the assigned School Resource Officer.

VI. EMPLOYMENT STATUS OF SCHOOL RESOURCE OFFICER

The SRO shall remain an employee of the Des Moines Police Department, and shall not be an employee of the School District. The School District and the Chief acknowledge that the SRO shall remain under the direct supervision of the City of Des Moines Police Department.

VII. APPOINTMENT OF SCHOOL RESOURCE OFFICER

7.1 The SRO must be a volunteer for the position with a minimum of three (3) years of law enforcement service or experience.

7.2 The appointment of the SRO shall be at the discretion of the Chief based upon:

7.2.1 A written application to the Chief that outlines his/her qualifications; and

7.2.2 Input from the High School principal or the principal's designee and the District's Director of Safety and Security.

7.3 Additional criteria for consideration by the Chief shall include job knowledge, training, education, appearance, attitude, communication skills, and bearing.

VIII. DISMISSAL OF SCHOOL RESOURCE OFFICER; REPLACEMENT

8.1 In the event the principal of the High School feels that the SRO is not effectively performing his or her duties and responsibilities, the principal shall recommend to the Superintendent of the District that the SRO be removed from the program and shall state the reasons therefore in writing. Within a reasonable time after receiving the recommendation from the principal, the Superintendent or his/her designee shall advise the Chief or his/her designee of the principal's request. If the Chief desires, the Superintendent and Chief, or their designees, shall meet with the SRO to mediate or resolve any problems. At such meeting, specified members of the staff of the school may be required to be present. If, within a reasonable amount of time after commencement of such mediation the problem cannot be resolved or mediated or in the event mediation is not sought by the Chief, then the SRO shall be removed from the program and a replacement shall be obtained.

8.2 The Chief may dismiss or reassign the SRO based upon Des Moines PD Rules, Regulations and/or General Orders and when it is in the best interest of the Parties, the students and the citizens of the City of Des Moines.

8.3 In the event of the resignation, dismissal, or reassignment of the SRO, or in the case of long term absences by the SRO, the Chief shall provide a temporary replacement for the SRO within thirty (30) school days of receiving notice of such absence, dismissal, resignation, or reassignment. As soon as practicable, the Chief shall appoint a permanent replacement for the SRO position.

IX. LIABILITY

Each party shall be responsible and liable for the consequences of any act or failure to act on the part of itself, its employees and its agents. Each party shall be responsible for its own negligence; neither party shall indemnify nor hold the other party harmless.

9.6 Counterparts. This Agreement shall be effective whether signed by all Parties on the same document or whether signed in counterparts.

9.7 Notices. Except as otherwise provided in this Agreement, any notice required to be provided under the terms of this Agreement, shall be delivered by certified mail, return receipt requested or by personal service to:

Dr. Susan Enfield, Superintendent
Highline School District No. 401
15675 Ambaum Boulevard SW
Burien WA 98166

George M. Delgado, Chief of Police
City of Des Moines Police Department
21900 11th Ave. S
Des Moines WA 98198

EXECUTED and APPROVED by the Parties in identical counterparts of this Agreement, each of which shall be deemed an original hereof, on the dates set forth below.

APPROVED AS TO FORM

DATED this _____ day of _____
2012.
CITY OF DES MOINES

By _____
City Attorney of Des Moines

By _____
Anthony A. Piasecki, Its City Manager

At the direction of the Des Moines City Council by resolution regularly passed at an open public meeting on _____, 20__.

APPROVED AS TO FORM

DATED this _____ day of _____
_____, 2012.
HIGHLINE SCHOOL DISTRICT NO. 401

By _____
Attorney for Highline School Dist. No. 401

By _____
Dr. Susan Enfield, Its Superintendent

A G E N D A I T E M

BUSINESS OF THE CITY COUNCIL
City of Des Moines, WA

SUBJECT: Sea-Mar Community Health
Center Development Agreement Addendum

FOR AGENDA OF: August 30, 2012

ATTACHMENTS:

1. Draft Resolution 12-130
2. Resolution 1178 (Development Agreement)
3. Sea-Mar Amendment Request

DEPT. OF ORIGIN: Planning, Building, &
Public Works

DATE SUBMITTED: August 20, 2012

CLEARANCES:

Legal PB

Finance N/A

Marina N/A

Parks, Recreation & Senior Services N/A

Planning, Building & Public Works AA

Police N/A

Courts N/A

APPROVED BY CITY MANAGER FOR
SUBMITTAL: AA

Purpose and Recommendation:

The purpose of this Agenda Item is to request that the City Council approve the First Addendum to the Development Agreement between the City and Sea-Mar Community Health Center (Sea-Mar). The City Council may approve the Addendum by passing the following motion:

Suggested Motion

Motion: "I move to approve Draft Resolution 12-130 directing the City Manger to sign the First Addendum to the Sea-Mar Development Agreement substantially in the form as submitted."

Background:

Sea-Mar Community Health Center is a community-based non-profit working to provided medical and housing services to low income families within the community. Since the mid-

1990's Sea-Mar has operated a 10,340 square foot (50 bed) in-patient alcohol and drug treatment facility at 24215 Pacific Highway South. In 2011, Sea-Mar contacted the City to discuss their plan to demolish the existing building and replace it with a medical/dental office building and a 36 unit housing development for families making between 30% and 60% percent of median income for Area Median Income as established by the United States Department of Housing and Urban Development.

In order to assist Sea-Mar in securing funds from the Washington State Housing Trust Fund and Washington State Housing Finance Commission's Low Income House Tax Credit program, the City entered into a Development Agreement with Sea-Mar in October of 2011. The purpose of the Development Agreement was to demonstrate the City's support for the project, create certainty in the permitting process, and reduce the overall permit and development cost. The decision to enter into the Development Agreement was supported in part by *Des Moines Comprehensive Plan Strategies 7-04-03 and 7-04-04* which directs the City to assist community based housing providers in securing funds from a number of federal and state programs to provide housing for all income groups.

The Development Agreement also helped bring the City into compliance with the mitigation measures established by the Pacific Ridge NIP¹ developed to mitigate the impacts associated with the redevelopment of the Pacific Ridge and adopted by the City Council as part of the SEPA Planned Action Ordinance for the Pacific Ridge. Specifically the NIP directed the City to support efforts of community-based housing developers to utilize Washington State Department of Community, Trade and Economic (now Department of Commerce) housing resources, including the Washington State Housing Trust Fund and the Washington State Housing Finance Commission housing resources, including the Federal Government's Low Income House Tax Credit program.

State Environmental Policy Act (SEPA)

Development Agreements are classified as project actions which are not contained on the list established by WAC 197-11-800 and DMMC 16.04.230 of activities categorically exempted from the State Environmental Policy Act (SEPA); therefore, a SEPA checklist was prepared and reviewed by City staff to determine if significant adverse environmental impacts were likely. The SEPA Official subsequently issued a final threshold decision of a Determination of Non-Significance (DNS) on September 16, 2011. The comment period for the DNS notice and appeal concluded on October 3, 2011 and October 13, 2011 respectively.

Discussion:

The reason for the requested Addendum to the existing Development Agreement is that Sea-Mar is now pursuing a 4% Low Income Housing Tax Credit rather than a 9% Low Income Housing Tax Credit. Under the 9% Low Income Housing Tax Credit, Sea-Mar would have received approximately \$5 million in subsidies from the Federal Government which would have substantially covered the construction cost of the housing portion of the project. As a result,

¹ City of Des Moines *Pacific Ridge Neighborhood Improvement Plan and Integrated Draft Environment Impact Statement* May 24, 2000

Sea-Mar would have been able to set the rental rates low enough to serve households making between 36% and 60% of the Area Median Income which translates into households making between \$29,772 and \$49,620 per year.

However, Sea-Mar has decided to obtain a 4% Low Income Housing Tax Credit which reduces the Federal subsidies to approximately \$2.2 million. Given the reduction in the Federal subsidies, Sea-Mar will be required to obtain loans to cover the remaining construction cost and use rental rates to services this debt. This change in the Federal subsidies necessitates a slight increase in the number of units and will limit the units to households with an income between 50% and 60% of the Area Median Income which translates into households making between \$41,350 and \$49,620 per year in order to generate enough rental income to pay for the operation of the facility and the debt service.

As a result, Sea-Mar is requesting that the Development Agreement be modified to increase the number of residential units from 36 to 45. The current development plans calls for 43 family housing units consisting of ten (10) three bedroom, twenty-eight (28) two bedroom, and five (5) one bedroom apartments. The increase in the number of units will also result in a slight increase in the size of the building from 41,368 square feet to 45,463 square feet.

These changes will mean that the project will provide work force housing at rental rates very close to typical market rate apartments instead of transitional low-income housing. Rent for a two bedroom apartment within the project for a family of 4 earning 50% of the Area Median Income is expected to be approximately \$920 a month which is comparable to the rental rates between \$1040 - \$1285 per month at the new Viewpoint Apartments located at 21428 International Boulevard. Households which earn more income would pay higher rents.

No other modifications to the Development Agreement are included in the proposed Addendum.

Alternatives:

The City Council has the following alternatives:

- **Alternative 1: Do Nothing**

The City Council may decide not to approve the Addendum increasing the number of residential units from 36 to 45. This is not the recommended alternative.

- **Alternative 2: Approve of the Addendum**

The City Council can pass Draft Resolution 12-130 authorizing the City Manager to sign the Addendum increasing the number of residential units. This is the recommended alternative.

The City Council does not have the alternative of rescinding the Development Agreement. Both the City and Sea-Mar must mutually consent to the termination of the Development Agreement pursuant to the Development Agreement - Section 13 (Amendments or Termination).

Financial Impact:

There is no direct financial impact to the City related to the approval of the Addendum discussed in this Agenda Item. However, the Addendum is crucial to assisting Sea-Mar with securing funding for the project. Additionally, future development of the property would likely provide the following economic benefits to the City:

- **Jobs:** The proposed development of the site will support approximately 50 permanent family wage jobs onsite. Additionally, a number of construction jobs will be generated during the development of the property.
- **On-going Tax Revenues:** The City could likely receive an unknown amount on-going annual sales tax revenues related to the delivery of supplies for the medical and dental offices. There will not be a loss in property tax revenue associated with the development of the project as property has been exempt from property taxes since the mid-1990's. The City will receive a small increase in the state per capita distributions based on the additional population.
- **Construction Tax Revenues:** The value of the construction of buildings and other site improvements upon completion could be up to \$8.43 million. The City's portion of the direct, one-time tax revenues generated onsite from construction could be up to \$71,655.

Recommendation/Conclusion:

Staff recommends that the City Council approve the proposed Addendum in order to facilitate the development of a project consistent with the goals and policies of the *City of Des Moines Comprehensive Plan* and the *Pacific Ridge Neighborhood Plan and Integrated Draft Environmental Impact Statement*.

Concurrence:

Legal and Planning, Building and Public Works Departments concur.

DRAFT RESOLUTION NO. 12-130
Development Services First Draft
July 25, 2012

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DES MOINES, WASHINGTON, approving the First Addendum to the Development Agreement By and Between The City of Des Moines (the "City"), and Sea-Mar Community Health Center (Sea-Mar).

WHEREAS, the City of Des Moines, pursuant to chapter 36.70B RCW has the authority to enter into a Development Agreement for development of property within its jurisdiction, and

WHEREAS, Sea-Mar has requested Section 5 of the Development Agreement By and Between The City of Des Moines and Sea-Mar Community Health Center dated October 25, 2012 be modified to increase the number of residential units in order to generate enough rental income to pay for the operation of the facility and the debt services, and

WHEREAS, pursuant to RCW 36.70B.200, a public hearing was held before the City Council on August 30, 2012, and all persons wishing to be heard were heard; now therefore,

THE CITY COUNCIL OF THE CITY OF DES MOINES RESOLVES AS FOLLOWS:

The City Council hereby authorizes the City Manager to enter into the First Addendum to the Development Agreement By and Between the City of Des Moines and Sea-Mar Community Health Center, attached hereto as Attachment "A" and incorporated herein by reference, for the development of the Sea-Mar Mixed Use Project.

ADOPTED BY the City Council of the City of Des Moines, Washington this _____ day of _____, 2012 and signed in authentication thereof this _____ day of _____, 2012.

M A Y O R

Draft Resolution No. 12-XXX
Page 2 of 2

APPROVED AS TO FORM:

City Attorney

ATTEST:

City Clerk

**FIRST ADDENDUM TO THE
DEVELOPMENT AGREEMENT BY AND BETWEEN
THE CITY OF DES MOINES,
and
SEA-MAR COMMUNITY HEALTH CENTER**

THIS ADDENDUM to the OCTOBER 25, 2011 DEVELOPMENT AGREEMENT between the CITY OF DES MOINES AND SEA-MAR COMMUNITY HEALTH CENTER, hereinafter referred to as the "Addendum", is entered into effective on the ____ day of _____, 2012 by and between the City of Des Moines, a Washington municipal corporation (hereinafter referred to as the "City") and Sea-Mar Community Health Center., a Washington non-profit Company (hereinafter referred to as "Sea-Mar") for the purposes and on the terms and conditions set forth herein.

WHEREAS, Sea-Mar has requested that the Agreement be modified to increase the number of residential units from 36 to 45 since Sea-Mar is pursuing a four percent Low Income Housing Tax Credit rather than a nine percent Low Income Housing Tax Credit, and

WHEREAS, the increase in the number of units is needed as the four percent tax credit includes a different mixture of funding and Sea-Mar requires additional units to generate enough rental income for pay of the operation of the facility and for debt services, and

WHEREAS, pursuant to RCW 36.70B.200, a public hearing has been held before the City Council and the City Council has enacted Resolution _____ authorizing the City Manager to enter into the Addendum;

NOW, THEREFORE, in consideration of the foregoing, the mutual covenants of the parties contained herein, and pursuant to RCW 36.70B.170-200, THE PARTIES HERETO AGREE as follows:

SECTION 1. PURPOSE.

The purpose of this Addendum is to amend the Development Agreement dated October 25, 2011 between the City and Sea-Mar in order to modify Section 5 of the Agreement to increase the number of units and remove the unit mixture description.

ATTACHMENT A

Rogelio Riojas on behalf of Sea-Mar Community Health Center, the person who executed the within and foregoing instrument, and acknowledged the said instrument to be the free and voluntary act and deed of said person, for the uses and purposes therein mentioned, and on oath stated that they are authorized to execute said instrument on behalf of Sea-Mar Community Health Center.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal on the date hereinabove set forth.

NAME

NOTARY PUBLIC in and for the State of
Washington, residing at _____
MY COMMISSION EXPIRES: _____

RESOLUTION NO. 1178

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DES MOINES, WASHINGTON, approving the Development Agreement By and Between The City of Des Moines (the "City"), and Sea Mar Community Health Center (Sea Mar).

WHEREAS, the City of Des Moines, pursuant to chapter 36.70B RCW has the authority to enter into a Development Agreement for development of property within its jurisdiction, and

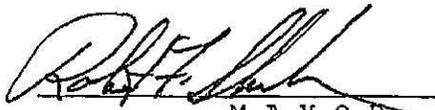
WHEREAS, Sea Mar owns property located at 24215 Pacific Highway South in the South Des Moines Neighborhood and wishes to develop a mixed use project on the property, and

WHEREAS, pursuant to RCW 36.70B.200, a public hearing was held before the City Council on October 13, 2011, and all persons wishing to be heard were heard; now therefore,

THE CITY COUNCIL OF THE CITY OF DES MOINES RESOLVES AS FOLLOWS:

The City Council hereby authorizes the City Manager to enter into the Development Agreement By and Between the City of Des Moines and Sea Mar Community Health Center, attached hereto as Attachment "A" and incorporated herein by reference, for the development of the Sea Mar Mixed Use Housing and Medical Office Project.

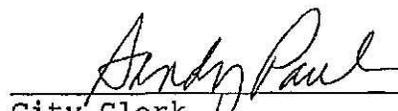
ADOPTED BY the City Council of the City of Des Moines, Washington this 13th day of October, 2011 and signed in authentication thereof this 13th day of October, 2011.


MAYOR

APPROVED AS TO FORM:


Assistant City Attorney

ATTEST:


City Clerk

**DEVELOPMENT AGREEMENT BY AND BETWEEN
THE CITY OF DES MOINES,
and
SEA-MAR COMMUNITY HEALTH CENTER**

THIS DEVELOPMENT AGREEMENT, hereinafter referred to as the "Agreement", is entered into effective on the 1st day of November, 2011 by and between the City of Des Moines, a Washington municipal corporation (hereinafter referred to as the "City") and Sea-Mar Community Health Center, a Washington non-profit company (hereinafter referred to as "Sea-Mar") in connection with the real property described herein (hereinafter referred to as the "Property"), and development of the Property by Sea-Mar hereinafter referred to as the "Project", its successors and assigns for the purposes and on the terms and conditions set forth herein.

WHEREAS, the City, a noncharter, code city, organized pursuant to Chapter 35A.13 RCW of the laws of the State of Washington having authority to enact laws and enter into agreements to promote the health, safety, and welfare of its citizens, and thereby control the use and development of property within its jurisdiction, and

WHEREAS, Sea-Mar owns the Property legally described in Exhibit A, attached hereto and incorporated by reference herein, and

WHEREAS, the Property presently consists of several separate contiguous tax lots and is located within the area generally referred to as the Midway Planning Area of the City and is bordered on the east by Pacific Highway South, on the west by 27th Ave. South, on the north by South 242nd St., and to the south by the northern boundary of King County Tax Parcels No. 3603000030 and 3603000075, and

WHEREAS, the Property's zoning classification is HC-Highway Commercial in order to achieve consistency with the preferred land use designation adopted by the City of Des Moines Comprehensive Plan pursuant to City of Des Moines Ordinance 1520, and

WHEREAS, RCW 36.70A.020(4), the Growth Management Act (GMA), directs local jurisdictions to, "encourage the availability of affordable housing to all economic segments of the population of this state, promote a variety of residential densities and housing types, and encourage preservation of existing housing stock," and

WHEREAS, RCW 36.70A.070(2), GMA, directs local jurisdictions to develop, "a housing element ensuring the vitality and character of established residential neighborhoods that: (a) Includes an inventory and analysis of existing and projected housing needs; (b) includes a statement of goals, policies, and objectives for the preservation, improvement, and development

of housing; (c) identifies sufficient land for housing, including, but not limited to, government-assisted housing, housing for low-income families, manufactured housing, multifamily housing, and group homes and foster care facilities; and (d) makes adequate provisions for existing and projected needs of all economic segments of the community,” and

WHEREAS, Policy 1-03-02 of the General Planning Element of the Comprehensive Plan states that the City should, “utilize the Comprehensive Plan as the policy basis for preparing neighborhood plans, establishing development regulations, prioritizing capital improvement construction, reviewing individual development proposals and making other decisions affecting the growth and development of Des Moines and the surrounding area,” and

WHEREAS, Strategy 2-04-09 of the Land Use Element of the Des Moines Comprehensive Plan (DMCP) states that the City should, “allow master planning and planned unit development techniques for unique or unusual sites where innovative development patterns are desirable, and

WHEREAS, Goal 7-01-01 of the Housing Element of the DMCP states that the City should, “encourage the development, preservation, or replacement of housing stock that is affordable to all economic segments of the community,” and

WHEREAS, Policy 7-03-01 of the Housing Element of the DMCP states that the City should, “continue to assist regional, multi-jurisdictional efforts to address the region’s need for low and moderate income housing, and special-needs housing. Assist the private sector, non-profit agencies, and public entities in the planning and development of affordable and special-needs housing within and near Des Moines,” and

WHEREAS, Policy 7-03-06 of the Housing Element of the DMCP states that the City should, “promote compatible residential development that is affordable to all economic segments of the Des Moines community. Ensure City codes and development regulations do not create unnecessary barriers to affordable housing,” and

WHEREAS, Strategy 7-04-01 of the Housing Element of the DMCP states that the City should, “work cooperatively with other King County cities/agencies to address regional housing issues,” and

WHEREAS, Strategy 7-04-03 of the Housing Element of the DMCP states that the City should, “assist social service organizations that provide housing for low income and special needs populations, operate emergency shelters, or provide other housing-related services available to Des Moines residents,” and

WHEREAS, Strategy 7-04-04 of the Housing Element of the DMCP states that the City should, “review the appropriateness of techniques for providing housing affordable to all income groups, such as regional, state and federal housing programs, housing trust fund, inclusionary zoning, development incentives, fee waivers, fast-track processing or assistance to housing agencies,” and

WHEREAS, as part of the 2008 Envision Midway Project, the City Council established as a goal for the area to, “provide a mix of land uses that increase revenues, job opportunities, and housing choices,” and

WHEREAS, as part of the 2008 Envision Midway Project, the City Council established as a goal for the area to provide appropriate land uses and regulations that support Bus Rapid Transit within the Pacific Highway corridor, and

WHEREAS, the Pacific Ridge Neighborhood Improvement Plan and Integrated Draft Environment Impact Statement, (hereinafter Pacific Ridge NIP) states that as mitigation for impacts associated with the redevelopment of the Pacific Ridge the City will “support efforts of public agencies and community-based housing developers to utilize Washington State Department of Community, Trade and Economic (DCTED) (now Department of Commerce) housing resources, including the Washington State Housing Trust Fund (WSHTF),” and

WHEREAS, the Pacific Ridge NIP states that as mitigation for impacts associated with the redevelopment of the Pacific Ridge the City will “support efforts of public agencies and community-based housing developers to utilize Washington State Housing Finance Commission (WSHFC) housing resources, including the Low Income House Tax Credit (LIHTC) program,” and

WHEREAS, Sea-Mar is a non-profit community-based housing developers and is seeking the City’s support in its efforts to secure funds from the Washington State Housing Trust Fund and Washington State Housing Finance Commission’s Low Income House Tax Credit (LIHTC) program, and

WHEREAS, the City is authorized pursuant to Chapter 18.44 DMMC Parking, to waive or modify the number of spaces required, thereby establishing the amount of required parking for uses for which the number of parking spaces proposed is demonstrated sufficient to fully serve the use, is consistent with the intent of Chapter 18.44 DMMC and when strict application of the Parking Code would result in unnecessary hardship pursuant to DMMC 18.44.040, and

WHEREAS, the Local Project Review Act, Chapter 36.70B RCW and adopted by Chapter 18.56 DMMC requires that local jurisdiction provide for a consolidated review with a

single open record hearing; therefore, the public hearing required by DMMC 18.44.040 with the hearing examiner is combined with City Council public hearing required for the development agreement, and

WHEREAS, Sea-Mar desires to develop a mixed-use project on the Property involving a combination of low income housing, and a professional office building for medical and dental services, and

WHEREAS, the City and Sea-Mar anticipate that development of the Property will be phased with development to occur over a period of years, and

WHEREAS, RCW 36.70B.170. et. seq., authorizes the City to enter into Development Agreements (Agreement) with owners, contract purchasers, and option holders of real property, such as Sea-Mar, to establish, among other things, the "development standards and other provisions that shall apply to and govern and vest the development, use, and mitigation of the development of the real property for the duration specified in the agreement," and

WHEREAS, the City and Sea-Mar have agreed to enter into this Agreement to establish, among other things, the "development standards and other provisions that shall apply to and govern and vest the development, use, and mitigation of the development of the real property for the duration specified in the agreement," and

WHEREAS, the proposed Project accomplishes the statutory intent of comprehensive, orderly, planned development within the City. Providing public benefits to the citizens and residents of the City, and

WHEREAS, pursuant to RCW 36.70B.200, a public hearing has been held before the City Council and the City Council has enacted Resolution 1178 authorizing the City Manager to enter into this Agreement, and

NOW, THEREFORE, in consideration of the foregoing, the mutual covenants of the parties contained herein, and pursuant to RCW 36.70B.170-200, THE PARTIES HERETO AGREE as follows:

SECTION 1. DEFINED TERMS

Terms not otherwise defined herein have the meaning set forth in 36.70B.170 RCW, the provisions of which are incorporated herein by reference.

SECTION 2. PURPOSE.

The purpose of this Agreement is to establish the development standards and other provisions that shall apply to and govern and vest the development, use, and mitigation of the development of the Property for the duration specified herein and to create a structure or collaboration that utilizes incentives available to the City to facilitate Sea-Mar redevelopment of the site to provide low-income housing and medical and dental facilities for low income individuals.

Pursuant to RCW 36.70B.170, the parties hereto have agreed to enter into this Agreement to set forth the terms and conditions of the development of the Project in order to set forth the development standards and other provisions that shall apply to and govern and vest the development, use, and mitigation of the development of the Project for the duration specified in this Agreement.

Sea-Mar also desires to obtain from the City assurances (i) that the Properties will be appropriately zoned, (ii) that the requirements for improvements to public streets and related infrastructure are specified, (iii) that upon receipt of its development and construction permits it may proceed with the development and construction of the Project, and (iv) that such development rights will be vested for the duration of the Project.

This Agreement describes the plans of development and establishes standards, guidelines and conditions that will apply to the Project on the various Properties, to provide such predictability to Sea-Mar with regard to future development plans. These standards are intended to provide certainty to the City in planning while permitting a certain degree of flexibility for Sea-Mar in undertaking its development.

SECTION 3. THE PROPERTIES

The Properties consist of the parcels described Exhibit A, which is attached hereto and incorporated herein by reference.

SECTION 4. PARTIES

The City, a municipality of the State of Washington, exercises governmental functions and powers pursuant to the laws of the State of Washington and the Des Moines Municipal Code. The principal office of the City is located at 21630 11th Avenue South, Des Moines, Washington 98198.

The Sea-Mar, a non-profit corporation, has its principal offices at 1040 S. Henderson Street, Seattle, Washington 98108. Any reference hereafter to "Sea-Mar" shall be deemed to include any successors and/or assigns of Sea-Mar, as permitted in Section 14.

SECTION 5. PROJECT

The Project is the Sea-Mar Mixed Use Housing and Medical Office Building. The Project will consist of the construction of an approximately 12,000 square foot medical office building and a thirty six unit affordable housing development for families. The housing development will consist of 11 three bedroom, 23 two bedroom, and 2 one bedroom apartments. The unit mix may change as the design process moves from preliminary to final plans. The affordability of the housing is targeted to serve households with incomes no greater than sixty percent of the King County median income as adjusted for family size.

SECTION 6. CERTAINTY OF DEVELOPMENT AGREEMENT

6.01 Development Agreement Deemed Controlling. This Agreement, once recorded, and any terms, conditions, maps, notes, references, or regulations which are a part of the Agreement shall be considered enforceable. In the case of an explicit conflict with any provisions of the Des Moines Municipal Code, this Agreement shall take precedence. Unless otherwise provided by this Agreement, the City's ordinances, resolutions, rules and regulations, and official policies governing permitted land uses, density, design, improvement, and construction standards shall be those City ordinances, resolutions, rules and regulations, and official policies in force at the time of the execution of this Agreement.

6.02 Subsequent Actions. This Agreement shall not prevent the City, in subsequent actions applicable to the property, from applying new rules, regulations, and policies which do not conflict with those rules, regulations, and policies applicable to the subject property, nor shall this Agreement prevent the City from denying or conditionally approving any subsequent development project application on the basis of such new rules, regulations, and policies.

6.03 Changes in the Law. In the event that state or federal laws or regulations, enacted after this Agreement has been entered into, prevent or preclude compliance with one (1) or more of the provisions of the Agreement, such provisions of the Agreement shall be modified or suspended as may be necessary to comply with such state or federal laws or regulations following modification procedures in Section 13 for an amendment or cancellation.

6.04 Emergency Situations. The City may suspend the issuance of building permits for the planned Project, if it finds that continued construction would place surrounding residents or the immediate community, or both, in a condition dangerous to their health or safety, or both.

SECTION 7. COMPREHENSIVE PLAN

The Project as proposed is in material compliance with the planning goals and objectives of the City, as set forth in the City of Des Moines Comprehensive Plan adopted by City, on November 18, 2010.

SECTION 8. APPROVED USES & STANDARDS FOR DEVELOPMENT

8.01 Permitted Uses. The City classifies the Project as a mixed-use project consisting of two buildings: one to be utilized for a multi-family residential development for affordable housing and the other to be utilized as a professional office for medical and dental services. Mixed use projects consisting of residential and professional offices are permitted uses in the underlying Highway Commercial Zoning Classification pursuant to DMMC 18.29.020(40) and (59) and DMMC 18.32.020(6). This authorization precludes the necessity of any further use permits for the Project.

8.02 Off-Street Parking. The Project shall comply with the parking requirements established by DMMC 18.44.060; provided that the parking ratio for multi-family residential is reduced to 1 stall per unit pursuant to DMMC 18.44.040(1). Provided further, that if the multi-family building ceases to be used for low income individuals as outlined in Section 6, the multi-family units will meet the parking requirements in effect at the time the low income housing use ceases.

8.03 Private Recreation Requirements. The City will consider the development of private garden areas on the Property fulfillment of the mandatory private recreational requirement established by DMMC 18.45.020(2); provided, that each unit has its own private garden area with a minimum of 60 square feet; provided further that the private gardens shall not be counted towards the mandatory public recreational requirement established by DMMC 18.45.020(1).

8.04 Setbacks. The Project shall comply with the setback requirements established by DMMC 18.29.070; provided that the front yard setback as measured from Pacific Highway South and 27th Avenue South shall be reduced to 10 feet pursuant to DMMC 18.52.100.

8.05 Landscaping. Landscaping for the Project will be consistent with the City's Landscaping Code, Chapter 18.41 DMMC.

8.05 Signs. The master sign program for the Project will be provided that is consistent with the City's Sign Code, Chapter 18.42 DMMC.

8.07 Green Building Standards. The City encourages Sea-Mar to incorporate sustainable design and building practices into the design of the Project.

8.08 Operational Multi-family Requirements. Sea-Mar shall institute the following operational standards for the residential component of the Project

- a. Establish and enforce House Rules substantially in the form as included in Exhibit B.
- b. Provide a 24-Hour on-site residential manager.
- c. Will complete criminal and credit checks for all residents prior to signing a lease agreement for a unit within the residential facility to ensure that the residents met the minimum qualifications established in Exhibit C.

8.09 Vested Rights of Sea-Mar. Sea-Mar is assured that all development regulations as defined in RCW 36.70A.030(7) that govern development of the Property in effect as of the day of City Council approval of this Agreement shall apply for the duration of the Project, except as modified by this Agreement. Provided, Sea-Mar shall be required to comply with the International Building Code, the City's Street Standards, and other regulatory codes adopted by the State of Washington and King County that preempt the City's authority in effect as of the date that Sea-Mar submits a particular development application to the City for review.

8.10 Public Facilities/Infrastructure. Sea-Mar shall improve South 242nd Street adjacent to Sea-Mar's property with curb, gutter, and sidewalk on the south side of the right-of-way, 22 feet of asphalt, and a 6 foot gravel shoulder on the north side of the asphalt pavement. Sea Mar shall improve 27th Avenue South adjacent to Sea-Mar's property with curb, gutter, and sidewalk on the east side of the right-of-way, the asphalt width shall be widened by 2 foot to provide 22 feet of total pavement width from the existing 20 feet. Curb, gutter, sidewalk and paving will adhere to details provided in the City's Street Development Standards as except has modified herein.

Sea-Mar is solely responsible for installation and construction of the public facilities/infrastructure required by and approved by the City. All public facilities/infrastructure shall be placed or put into service on land deeded or dedicated to the City or another public agency, or on which the City or other public agency has easement rights. All public facilities/infrastructure shall be installed, inspected, and approved by the City.

8.11 Sea-Mar's Obligations. Nothing in this Section shall be deemed to alter the obligation of Sea-Mar to obtain all permits necessary before the commencement of each phase of the development of the Property.

SECTION 9. ENVIRONMENTAL PROCEDURE

This Agreement is a project action as defined by the State Environmental Policy Act (SEPA). A Determination of Non-Significance (DNS) was issued in compliance with the environmental procedures as outlined in Chapter 16.04 DMMC.

SECTION 10. DEVELOPMENT SCHEDULE

Construction of the Project shall commence not later than May 1, 2013. Full construction shall be completed not later than March 1, 2016.

SECTION 11. GOVERNMENT APPROVALS

Should Sea-Mar at any time require the approval of any governmental body or board, whether of local, regional, state or federal jurisdiction, Sea-Mar shall bear the sole cost and responsibility for obtaining needed approvals. The City, upon request by Sea-Mar, shall lend its full cooperation and affirmative support if it deems such would be in the interest of timely performance under this Agreement, and such cooperation and support would not compromise the responsibilities of the City, including its responsibilities to Sea-Mar as set forth in this Agreement. Nothing contained herein is designed to relieve Sea-Mar of the necessity of complying with the laws governing the permitting requirements, conditions, terms or restrictions.

SECTION 12. PUBLIC NOTICE AND HEARINGS

The City represents and warrants that it has conducted at least one public hearing and has published notice of intent to consider this Agreement in accordance with the requirements of RCW 36.70B.200.

SECTION 13. AMENDMENT OR TERMINATION

This Agreement may be amended, modified or terminated in accordance with RCW 36.70B.170-200, and other applicable laws, rules or regulations, and upon mutual consent of the parties, such mutual consent of the parties shall be evidenced by a written Amended Agreement signed by the parties identified in Section 4.

SECTION 14. GENERAL PROVISIONS

14.01 Notices, Demands and Communications. Formal notices, demands and communications between the City and Sea-Mar shall be sufficient if given and shall not be

deemed given unless dispatched by certified mail, postage prepaid, returned receipt requested, or delivered personally, to the principal offices of the City and Sea-Mar as follows:

<u>City</u>	<u>Sea-Mar</u>
City Manager	Rogelio Riojas
City of Des Moines	Executive Director
21630 11 th Avenue South	Sea Mar Community Health Center
Des Moines, Washington 98198	1040 South Henderson Street
	Seattle, Washington 98108

14.02 Conflict of Interests. No member, official or employee of the City shall make any decision relating to the Agreement which effects his or her personal interests or the interests of any corporation, partnership or association in which he or she is directly or indirectly interested.

Sea-Mar warrants that it has not paid or given, and shall not pay or give, any third person any money or other consideration for obtaining this Agreement.

14.03 Non-Liability of City, Officials, Employees, and Agents. No member, official, employee or agent of the City of Des Moines shall be personally liable to Sea-Mar, or any successor in interest, in the event of any default or breach by the City or for any amount which may become due to Sea-Mar or successor or on any obligation under the terms of this Agreement.

14.04 Enforced Delay. Performance by either party under this Agreement shall not be deemed to be in default where delays or defaults are due to war; insurrection; strikes, lock-outs; riots; floods; earthquakes; fires; casualties; acts of God; acts of the public enemy; epidemics; quarantine restrictions; freight embargoes; lack of transportation; governmental restrictions of priority; litigation (including suits filed by third parties concerning or arising out of this Agreement); unusually severe weather; inability to secure necessary labor, materials or tools; acts or failure to act of any public or governmental authority or entity (other than the acts or failure to act of the City which shall not excuse performance by the City), or any other causes (other than lack of funds of Sea-Mar) beyond the control or without the fault of the party claiming an extension of time to perform. An extension of time for any such cause shall be for a period of the enforced delay and shall commence to run from the commencement of the cause, if notice by the party claiming such extension is sent to the other party within fifteen (15) calendar days of the commencement of the cause. Times of performance under this Agreement may also be extended in writing by the City's City Manager/Mayor or designee.

14.05 Provisions Not Merged with Deeds. None of the provisions of this Agreement are intended to or shall be merged by the Statutory Warranty Deeds of the Property.

14.06 Title of Parts and Sections. Any titles of the Parts, Sections or Subsections of this Agreement are inserted for convenience of reference only and shall be disregarded in construing or interpreting any part of its provisions.

14.07 Hold Harmless. Sea-Mar shall indemnify and hold harmless the City and their officers, agents and employees, or any of them from any and all claims, actions, suits, liability, loss, costs, expenses, and damages of any nature whatsoever, by any reason of or arising out of the negligent act or omission of Sea-Mar, its officers, agents, employees, or any of them relating to or arising out of the performance of this Agreement. If a final judgment is rendered against the City, its officers, agents, employees and/or any of them, or jointly against the City and Sea-Mar and their respective officers, agents and employees, or any of them, Sea-Mar shall satisfy the same to the extent that such judgment was due to Sea-Mar's negligent acts or omissions.

14.08 Enforcement, Rights and Remedies Cumulative. This Agreement shall be enforceable by the City, applicant, or successor-in-interest notwithstanding any change in any applicable general or specific plan, zoning, subdivision, or building regulation adopted by the City which alters or amends the rules, regulations, or policies specified in this Agreement. Enforcement may be through any remedy or enforcement method or process, or combination thereof, allowed under law and/or equity. Except as otherwise stated in this Agreement, the rights and remedies of the Parties are cumulative, and the exercise or failure to exercise one or more of these rights or remedies by either party shall not preclude the exercise by it, at the same time or different times, of any right or remedy for the same default or any other default by the other party.

14.09 Right of Entry. During the life of this Agreement and until all improvements required under this Agreement to be completed are completed, Sea-Mar shall grant to the City, its agents, employees and representatives the right of entry on to the Property during normal business hours.

14.10 Applicable Law. This Agreement shall be interpreted under and pursuant to the laws of the State of Washington. Venue for any legal action brought hereunder shall be in the King County Superior Court.

14.11 Severability. If any term, provision, covenant or condition of this Agreement is held by a court of competent jurisdiction to be invalid, void or unenforceable, the remainder of the provisions shall continue in full force and effect unless the rights and obligations of the

parties have been materially altered or abridged by such invalidation, voiding or unenforceability.

14.12 Legal Actions. In the event any legal action is commenced to interpret or to enforce the terms of this Agreement, or to collect damages as a result of any breach of the Agreement, the party prevailing in any such action shall be entitled to recover against the party not prevailing all reasonable attorney fees and costs incurred in the action.

14.13 Binding Upon Successors. This agreement shall be binding upon and inure to the benefit of the heirs, administrators, executors, successors in interest and assigns of each of the parties hereto except that there shall be no transfer of any interest to any of the parties hereto except pursuant to the terms of this Agreement. Any reference in this Agreement to a specifically named party shall be deemed to apply to any successor heir, administrator, executor or assign of such party who has acquired an interest in compliance with the terms of this Agreement, or under law.

14.14 Parties Not Co-ventures. Nothing in this Agreement is intended to or does establish the parties as partners, co-venturers, or principal and agent with one another, nor employees and/or employers of each other.

14.15 Warranties. The City expresses no warranty or other representation to Sea-Mar other than those expressed within this Agreement, as to fitness or condition of the Property.

14.16 Reasonable Approvals. The approval of a party of any documentation or submissions herein called for shall not be unreasonably withheld unless the text clearly indicates a different standard. All such approvals shall be given or denied in a timely and expeditious fashion.

14.17 Recordation. Within 10 days after the effective date of this Agreement, or any modification or the cancellation thereof, the City Clerk shall have this Agreement, the modification or cancellation notice recorded with the County Auditor/Recorder of King County.

14.18 Execution of Other Documentation. The City and Sea-Mar agree to execute any further documentation that may be necessary to carry out the intent and obligations under this Agreement.

14.19 Complete Understanding of the Parties. This Agreement is executed in two (2) duplicate originals, each of which is deemed to be an original. This Agreement consists of 14 pages and three(3) attached Exhibits and constitutes the entire understanding and agreement of the parties.

CITY OF DES MOINES

SEA-MAR

[Signature]
Anthony A. Piasecki
City Manager.

[Signature]
Rogelio Rojas
Executive Director

By direction of the Des Moines City Council
in Open Public Meeting
on October 13, 2011

Dated: 11/9/11

Dated: November 4, 2011

Attest:

[Signature]
City Clerk

Approved as to Form:

[Signature]
City Attorney

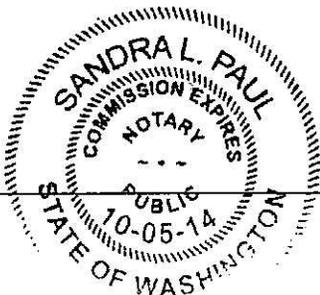
STATE OF WASHINGTON)
COUNTY OF King) ss

On this 9th day of November, 2011, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared Anthony A. Piasecki to me known as the City Manager, for the City of Des Moines, the corporation who executed the within and foregoing instrument, and acknowledged the said instrument to be the free and voluntary act and deed of said City of Des Moines, for the uses and purposes therein mentioned, and on oath stated that he is authorized to execute said instrument on behalf of said municipal corporation.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal on the date hereinabove set forth.

[Signature]
NAME

NOTARY PUBLIC in and for the State of
Washington, residing at King County
MY COMMISSION EXPIRES: October 5, 2014



STATE OF WASHINGTON)
) ss
COUNTY OF KING)

On this 4th day of November, 2011, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared Rogelio Riojas on behalf of Sea-Mar, the person who executed the within and foregoing instrument, and acknowledged the said instrument to be the free and voluntary act and deed of said person, for the uses and purposes therein mentioned, and on oath stated that they are authorized to execute said instrument on behalf of Sea-Mar.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal on the date hereinabove set forth.



NAME
Michael Leong

NOTARY PUBLIC in and for the State of
Washington, residing at Bellevue

MY COMMISSION EXPIRES: 8-23-12



Sea Mar Development Agreement
Exhibit A
Legal Descriptions

PARCEL A – TAX PARCEL 3603000024

That Portion of the North Half of the Northeast Quarter located in Section 21 Township 22 N Range 04 E W.M., in King County, Washington described as follows:

Lots 5 – 8 of Block 7, Lots 1 – 8 Block 8, and Lots 32 – 40 Block 8 Interurban Heights Fifth Section filed in Volume 17 of Plats, Page 85, Records of King County, Washington; together with all portions of vacated Yukon Street lying between lots 1 – 8 of Block 7 and Lots 1 – 8 of Block 8; except that portion of Said Lots 6 Thru 8 of Block 7 conveyed to the State Of Washington For road by deed under Recording No 2014199;

PARCEL B – TAX PARCEL 2122049097

That portion of the West Half of the West Half of the Northeast Quarter of the Northeast Quarter of Section 21 Township 22 N Range 04 E W.M. lying Westerly of State Highway Number 1 and South of Easterly extension of the North line of Lot 5 Block 7 of Interurban Heights Fifth Section filed in Volume 17 of Plats, Page 85, Records of King County

MEDICAL

Aberdeen: 360-538-1293
 Bellevue: 425-460-7140
 Bellingham: 360-671-3225
 Burien: 206-812-6140
 Clark County: 360-852-9070
 Everson: 360-354-0766
 Lacey: 360-359-4840
 Marysville: 360-653-1742
 Monroe: 360- 282-3885
 Mt. Vernon: 360-428-4075
 Mt. Vernon OB/GYN: 360-424-5344
 Ocean Shores: 360-289-2427
 Olympia: 360-491-1399
 Puyallup: 253-864-4550
 Skagit Valley: 360-588-5550
 Seattle: 206-762-3730
 Tacoma: 253-593-2144
 MDC : 253-627-5445
 Vancouver: 360-896-5128
 White Center: 206-965-1000

DENTAL

Aberdeen: 360-538-1463
 Bellingham: 360-738-3016
 Burien: 206-631-7316
 Burlington: 360-755-9151
 Lacey: 360-359-4860
 Marysville: 360-657-3091
 Mt. Vernon: 360-428-4075
 Oak Harbor: 360-679-9216
 Puyallup: 253-864-4760
 Seattle: 206-762-3263
 Tacoma: 253-593-2144
 Tumwater: 360-570-8016
 Vancouver: 360-574-4074
 White Center: 206-965-1000

INPATIENT BEHAVIORAL HEALTH

Bellingham: 360-647-4266
 Des Moines: 206-812-6160
 Seattle: 206-766-6960
 Tacoma: 253-627-2250

OUTPATIENT BEHAVIORAL HEALTH

Aberdeen: 360-538-1461
 Anacortes: 360-542-8920
 Bellevue: 425-460-7114
 Bellingham: 360-734-5458
 Everett: 425-347-5415
 Lacey: 360-359-4880
 Lynnwood: 425-977-2560
 Monroe SA: 360-805-3122
 Monroe MH: 360-282-3899
 Mt. Vernon: 360-542-8920
 Puyallup: 253-864-4770
 Seattle: 206-766-6976
 Tacoma: 253-396-1634
 Tumwater: 360-570-8258
 Vancouver: 360-566-4432

PHARMACY

Olympia: 360-704-7575
 Seattle: 206-762-3397

OTHER

Cannon House: 206-709-1777
 Child Dev. Ctr.: 206-788-3245
 Community Care Ctr.: 206-788-3200
 Community Services: 206-764-4700
 Home Health: 206-788-3227
 Homeless Services: 360-424-5710
 MSS & WIC: 206-762-0876
 Patient Accts. Billing: 800-549-2493
 REACH: 206-764-4705
 Seasonal Child Care: 360-416-3397
 Seasonal Housing: 509-546-0865



Sea Mar
 Community Health Center
 Clinica de la Comunidad

Proudly Serving the Community since 1978

ROGELIO RIOJAS, CHIEF EXECUTIVE OFFICER
 ADMINISTRATIVE OFFICES: 1040 S. HENDERSON ST., SEATTLE, WA 98108, 206-763-5277

Jason Sullivan
 21630 11th Avenue South, Suite D
 Des Moines, Washington 98198

Dear Mr. Sullivan,

I am writing you to request an amendment to the development agreement we signed last October for our planned housing project on Pacific Highway South.

Specifically we need to adjust the number of total units we are planning for the site from 36 to 45, or preferably, to amend the language in the agreement to allow us to use the entire zoned capacity of the site for housing use.

The reason we need this change is because we are going to use 4 percent Low Income Housing Tax Credits rather than 9 percent Low Income Housing Tax Credits. The 4 percent proposal includes a different mix of funding and we need additional units to generate enough rental income for operations and debt service.

We need to make this adjustment as soon as possible and we are in the process now of applying to the Housing Trust Fund. If you have any questions please let me know.

Sincerely,

Roger Valdez
 Housing Director

Attachment: Final Version of Development Agreement 10/25/2011

ATTACHMENT 3

A G E N D A I T E M

BUSINESS OF THE CITY COUNCIL
City of Des Moines, WA

SUBJECT: 2012 Budget Amendments

FOR AGENDA OF: August 30, 2012

ATTACHMENTS:

- Attachment 1 - Draft Ordinance No. 12-105
- Attachment 2 – Appendix A
- Attachment 3 – 2012 Budget Amendments

DEPT. OF ORIGIN: Finance

DATE SUBMITTED: August 17, 2012

CLEARANCES:

- Finance ppf
- Legal ppf
- Marina N/A
- Parks, Recreation & Senior Services N/A
- Planning, Building & Public Works N/A
- Police N/A
- Courts N/A

APPROVED BY CITY MANAGER
FOR SUBMITTAL: [Signature]

Purpose and Recommendation

The purpose of this agenda item is to seek City Council approval of 2012 budget amendments as described in Attachment 3. At the July 26, 2012 City Council meeting, Draft Ordinance No. 12-105 was passed to a second reading for enactment on August 30, 2012.

Suggested Motion:

1. "I move to enact Draft Ordinance No. 12-105, relating to municipal finance, amending the 2012 budget adopted in Ordinance No. 1529."

Background

The 2012 budget was adopted by Ordinance No. 1529. Budget amendments are required only when the appropriation level in a fund is being changed. Staff recommends a budget amendment when the source for a proposed expenditure is from a fund's ending fund balance.

Discussion

The budget amendments as listed in Attachment 3 reflect decisions that require additional revenues and appropriations. The table below summarizes the final 2012 amended budget.

All Funds:	Adopted Budget	Amendments	Amended Budget
Beginning Fund Balance	\$ 9,644,521	\$ 632,194	\$ 10,276,715
Revenues	42,286,105	5,131,306	47,417,411
Expenditures	43,822,801	6,402,667	50,225,468
Ending Fund Balance	\$ 8,107,825	\$ (639,167)	\$ 7,468,658

Recommendation

Staff recommends that the City Council approve Draft Ordinance No. 12-105. Budget amendments are required only when the appropriation level in a fund is being changed. Per RCW 35A.33.120, adoption of a budget amendment ordinance requires an affirmative vote of one more than the majority of all members of the City Council (5 votes): 1) if an emergency is declared and the City Council approved expenditures incident to the emergency event, and 2) if appropriations are being decreased in any fund.

FINANCE DIRECTOR'S FIRST DRAFT 07/12/12
FINANCE DIRECTOR'S SECOND DRAFT 08/16/12
DRAFT ORDINANCE NO. 12-105

AN ORDINANCE OF THE CITY OF DES MOINES, WASHINGTON relating to municipal finance, amending Ordinance No. 1529 (uncodified) (Budget 2012), and authorizing certain expenditures in the amounts specified in this ordinance.

WHEREAS, the City Council finds that current revenue and expenditure reports for the City differ from forecasts used to create the 2012 budget, enacted by Ordinance No. 1529, and further finds that such differences justify certain adjustments regarding obligations incurred and expenditures of proceeds for fiscal year 2012, all as described as follows:

Fund	Description	Expenditure Adjustments	Revenue Adjustments
001-General Fund	Decrease Beginning Fund Balance - Adjust to Actual	\$ -	\$ (452,007)
001-General Fund	Reduce one-time Sales Tax-New Construction for delay of Artemis Hotel		(130,259)
001-General Fund	Eliminate one-time B&O Taxes for delay of Artemis Hotel		(41,883)
001-General Fund	Increase Building Base Permit Fees due to revised projections		62,396
001-General Fund	Eliminate one-time Building Permits For delay in projects		(579,349)
001-General Fund	Carry forward Artemis Hotel Land Clearing Permit Revenue		7,701
001-General Fund	Revise DMCSBP Land Clearing Permit Revenue		52,200
001-General Fund	Revise Bureau Justice Assistance for bullet proof vests to award balance		1,680
001-General Fund	Carry forward EAP SAAP Grant for WD #54 Downtown Wtr System Imprv		121,312
001-General Fund	Add FEMA Grant Revenues for Jan 2012 Snow & Ice Storm		4,539
001-General Fund	Add State Emergency Mgt Grant Funds for Jan 2012 Snow & Ice Storm		757
001-General Fund	Add Revenues for WA Traffic Safety Commission donation of E-Ticketing equipment		8,820
001-General Fund	Reduce City Assistance Revenues based on State revisions		(16,063)
001-General Fund	Reduce Liquor Board Excise Taxes due to State Legislation		(39,380)
001-General Fund	Revise Liquor Board Profits due to I-1183		112,481
001-General Fund	Eliminate Liquor License Fees (included with Liquor Board Profits)		(123,800)
001-General Fund	Add Revenues for SCORE Court Costs		7,500
001-General Fund	Increase COPS Hiring Program Grant due to award extension		87,300
001-General Fund	Carry forward HEAL Grant Program Revenues		31,257
001-General Fund	Increase Revenues Court Record Check Fees		20,000
001-General Fund	Increase Revenues Court Sentence Compliance Fees		20,000
001-General Fund	Increase One-time Engineering Plan Review Fees per Dev Svcs revised projections		122,607
001-General Fund	Increase Base Zoning Fees per Dev Services revised projections		11,320
001-General Fund	Decrease one-time Zoning Fees DMCSBP per Dev Services revised projections		(64,800)
001-General Fund	Increase one-time Plan Check Fees per Dev Services revised projections		159,174
001-General Fund	Increase Fines & Forfeits revenues due to increased traffic enforcement		40,000
001-General Fund	Decrease Automated Speed Enforcement Revenues		(89,285)
001-General Fund	Add Revenues for State Justice Institute Award-Court staffing analysis		36,000
001-General Fund	Add Revenues for NRPA Grant for Summer Lunch Program		30,000
001-General Fund	Increase transfer from Levy Lid Lift Fund		8,960
001-General Fund	Add appropriations for Court staffing analysis	40,000	
001-General Fund	Increase appropriations for medical provider administration fees	53,625	
001-General Fund	Carry forward Highline CC Associated Students sponsorship	6,000	
001-General Fund	Add appropriations for fair value of donated E-Ticketing equipment	8,820	
001-General Fund	Increase appropriations for SCORE misdemeanor maintenance	229,412	
001-General Fund	Carry forward WD #54 Downtown Water System Imprv	121,312	
001-General Fund	Carry forward HEAL Grant Program expenditures	23,755	
001-General Fund	Carry forward HEAL Grant Program expenditures	4,107	
001-General Fund	Carry forward HEAL Grant Program expenditures	700	
001-General Fund	Carry forward HEAL Grant Program expenditures	250	
001-General Fund	Carry forward HEAL Grant Program expenditures	2,493	
001-General Fund	Add appropriations for Sonju irrigation extension paid for by plot fees	400	
001-General Fund	Add appropriations for park buildings flood insurance	5,312	
001-General Fund	Add appropriations for Summer Lunch Program	30,000	
001-General Fund	Add appropriations for transfer-out to Self-Insurance Fund increasing Ending Fund Bal	20,000	
001-General Fund	Reduce appropriations for transfer-out to Trans CIP Fund - ASE Program	(89,395)	
001-General Fund	Decrease Ending Fund Balance	(1,047,613)	

DRAFT Ordinance No. 12-105
Page 2 of 6

Fund	Description	Expenditure Adjustments	Revenue Adjustments
101-Street Fund	Increase Beginning Fund Balance - Adjust to Actual		64,810
101-Street Fund	Add FEMA Grant Revenues for Jan 2012 Snow & Ice Storm		8,135
101-Street Fund	Add State Emergency Mgt Grant Funds for Jan 2012 Snow & Ice Storm		1,358
101-Street Fund	Increase Ending Fund Balance	74,301	
107-Drug Seizure Fund	Adjust Beginning and Ending Fund Balances to Actual	(91)	(91)
109-Transportation Impact Fee Fund	Adjust Beginning and Ending Fund Balances to Actual	53	53
111-Hotel-Motel Tax Fund	Adjust Beginning and Ending Fund Balances to Actual	280	280
112-Police Services Restoration Fund	Decrease Beginning Fund Balance - Adjust to Actual		(1,040)
112-Police Services Restoration Fund	Add Auto Theft Grant Revenues for substitution costs/equipment		19,700
112-Police Services Restoration Fund	Add appropriations for Auto Task Force Grant funded equipment	9,700	
112-Police Services Restoration Fund	Increase transfer to General Fund	8,980	
211-1995 GO Bond Fund	Decrease Beginning Fund Balance - Adjust to Actual		(193)
211-1995 GO Bond Fund	Decrease appropriations for transfer-out to Facility Repair & Repl Fund	(193)	
212-LID Fund	Adjust Beginning and Ending Fund Balances to Actual	(4,824)	(4,824)
219-2008 GO & Refunding Bond Fund	Adjust Beginning and Ending Fund Balances to Actual	5	5
220-Miscellaneous Debt Service	Reduce transfer-in from Transportation CIP Fund for PWTIF Loan-Gateway		(238,970)
220-Miscellaneous Debt Service	Reduce PWTIF Loan-Principal - Gateway Project for loan term extension	(238,971)	
220-Miscellaneous Debt Service	Increase PWTIF Loan-Interest - Gateway Project for loan term extension	1	
310-Municipal Capital Improvements Fund	Decrease Beginning Fund Balance - Adjust to Actual		(2,434)
310-Municipal Capital Improvements Fund	Carry forward federal grant funds for DM Creek Trail		54,334
310-Municipal Capital Improvements Fund	Carry Forward FEMA grant funds for Beach Park Mudslide		17,512
310-Municipal Capital Improvements Fund	Carry forward State Emg Mgt funds for Beach Park Mudslide		2,919
310-Municipal Capital Improvements Fund	Carry Forward WA ST Heritage grant funds for Dining Hall		246,856
310-Municipal Capital Improvements Fund	Carry forward WA ST Heritage grant funds for Grandstand/Field House Imprv		74,335
310-Municipal Capital Improvements Fund	Carry Forward contributions from DMLF for Grandstand		2,500
310-Municipal Capital Improvements Fund	Remove Cherry St. Builders Damages		(20,000)
310-Municipal Capital Improvements Fund	Carry Forward Utility Rebates/Citywide Energy Imprv		23,000
310-Municipal Capital Improvements Fund	Carry forward appropriations for Auditorium	49,610	
310-Municipal Capital Improvements Fund	Add appropriations for Dining Hall Decking & Fencing	46,523	
310-Municipal Capital Improvements Fund	Carry forward appropriations for Beach Park mudslide	11,763	
310-Municipal Capital Improvements Fund	Carry forward appropriations for Citywide Energy Savings project	27,016	
310-Municipal Capital Improvements Fund	Carry forward appropriations for Field House Restrooms project	7,782	
310-Municipal Capital Improvements Fund	Add appropriations for Field House Restrooms project	12,180	
310-Municipal Capital Improvements Fund	Carry forward appropriations for DM Creek Trail	11,510	
310-Municipal Capital Improvements Fund	Increase Ending Fund Balance	232,638	
319-Transportation Capital Improvement Fund	Increase Beginning Fund Balance - Adjust to Actual		513,240
319-Transportation Capital Improvement Fund	Carry forward CDBG grant funds for S. 216th St Imprv		48,800
319-Transportation Capital Improvement Fund	Reduce FHWA/HBP/BRAC funds for North Tw in Bridge Seismic Retrofit		(35,292)
319-Transportation Capital Improvement Fund	Reduce FHWA/HBP/BRAC funds for North Tw in Bridge Footing Repairs		(22,018)
319-Transportation Capital Improvement Fund	Remove HW&LP revenue from Traffic Safety Program		(250,000)
319-Transportation Capital Improvement Fund	Add HW&LP revenue for Citywide Arterial Street Improvements		250,000
319-Transportation Capital Improvement Fund	Carry forward WSDOT/Traffic Busters		30,000
319-Transportation Capital Improvement Fund	Add revenues for fair value of SR 509 ROW - Barnes Creek Trail		1,360,000
319-Transportation Capital Improvement Fund	Add revenues for fair value of ROW S 216th St Imprv Seg 2		816,000
319-Transportation Capital Improvement Fund	Carry forward PSE revenues for North Tw in Bridge Seismic Retrofit		21,000
319-Transportation Capital Improvement Fund	Carry forward Quest (Century Link) reimbursement for S 216th St Imprv - Seg 4		27,343
319-Transportation Capital Improvement Fund	Carry forward PSE revenues for 24th Ave S Imprv		8,820
319-Transportation Capital Improvement Fund	Correct revenues for transfer of King City Parks Levy Funds (Barnes Crk Trail)		(20,000)
319-Transportation Capital Improvement Fund	Decrease transfer-in from General Fund for ASE Program		(69,395)
319-Transportation Capital Improvement Fund	Carry forward appropriations for 24th Ave S. Imprv-Engineering	232,716	
319-Transportation Capital Improvement Fund	Carry forward appropriations for S 216th St. Imprv-Seg 1a	34,588	
319-Transportation Capital Improvement Fund	Carry forward appropriations for S 216th St. Imprv-Seg 2	942,271	
319-Transportation Capital Improvement Fund	Carry forward appropriations for S 216th St. Imprv-Seg 4	15,485	
319-Transportation Capital Improvement Fund	Add appropriations for S 216th St Imprv-Seg 4	208,887	
319-Transportation Capital Improvement Fund	Carry forward appropriations for Barnes Creek Trail/SR 509 ROW	1,436,843	
319-Transportation Capital Improvement Fund	Carry forward appropriations for Intelligent Transportation System	31,000	
319-Transportation Capital Improvement Fund	Add appropriations for Traffic Safety Program	81,500	
319-Transportation Capital Improvement Fund	Remove appropriations for Traffic Safety Program (HW&LP)	(250,000)	
319-Transportation Capital Improvement Fund	Add appropriations for Citywide Arterial Street Improvements	250,000	
319-Transportation Capital Improvement Fund	Reduce appropriations for transfer of funds for PWTIF Loan payment-Gateway	(238,970)	
319-Transportation Capital Improvement Fund	Decrease Ending Fund Balance	(65,820)	

Fund	Description	Expenditure Adjustments	Revenue Adjustments
401-Marina Revenue Fund	Decrease Beginning Fund Balance - Adjust to Actual		(3,995)
401-Marina Revenue Fund	Add FEMA Grant Revenues for Jan 2012 Snow & Ice Storm		678
401-Marina Revenue Fund	Add State Emergency Mgt Grant Funds for Jan 2012 Snow & Ice Storm		113
401-Marina Revenue Fund	Add 2012 Advance Refunding Bond Proceeds		2,810,000
401-Marina Revenue Fund	Add 2012 Advance Refunding Bonds Premium on Bonds Sold		177,154
401-Marina Revenue Fund	Add appropriations for Market Analysis	49,220	
401-Marina Revenue Fund	Add appropriations for 2012 Adv Ref Bond Issue Principal Payment	265,000	
401-Marina Revenue Fund	Add appropriations for 2012 Adv Ref Bond Issue Interest Payment	54,020	
401-Marina Revenue Fund	Add appropriations for 2012 Adv Ref Bond issuance costs	48,413	
401-Marina Revenue Fund	Add appropriations for Harbor Management Software	4,271	
401-Marina Revenue Fund	Reduce appropriations for tsf-out to Marina Depr & Impr Fd 404 for 2002 bonds debt Svc	(329,613)	
401-Marina Revenue Fund	Add appropriations for power pedestals	4,918	
401-Marina Revenue Fund	Add appropriations for payment to Bond Refunding Escrow	2,917,118	
401-Marina Revenue Fund	Decrease Ending Fund Balance	(29,396)	
403-Marina Repair & Replacement Fund	Adjust Beginning and Ending Fund Balances to Actual	6,158	6,156
404-Marina Depreciation & Improvement Fund	Increase Beginning Fund Balance - Adjust to Actual		1
404-Marina Depreciation & Improvement Fund	Reduce transfer from Marina Fund for 2002 bonds debt service		(329,613)
404-Marina Depreciation & Improvement Fund	Remove Principal Payment due on 2002 bond issue refunded with 2012 bond issue	(205,000)	
404-Marina Depreciation & Improvement Fund	Remove Interest Payment due on 2002 bond issue refunded with 2012 bond issue	(124,595)	
404-Marina Depreciation & Improvement Fund	Reduce appropriations for fiscal agent fees	(18)	
404-Marina Depreciation & Improvement Fund	Transfer fund balance to Marina Depr & Imprv Fund 406	4,065	
404-Marina Depreciation & Improvement Fund	Decrease Ending Fund Balance	(4,064)	
406-Marina Depr & Improv Fund - 2008	Increase Beginning Fund Balance - Adjust to Actual		49,015
406-Marina Depr & Improv Fund - 2008	Transfer-in from Marina Depr & Imprv Fund 404		4,085
406-Marina Depr & Improv Fund - 2008	Increase Ending Fund Balance	53,080	
450-Surface Water Mgt Operations Fund	Increase Beginning Fund Balance - Adjust to Actual		101,516
450-Surface Water Mgt Operations Fund	Add FEMA Grant Revenues for Jan 2012 Snow & Ice Storm		5,797
450-Surface Water Mgt Operations Fund	Add State Emergency Mgt Grant Funds for Jan 2012 Snow & Ice Storm		966
450-Surface Water Mgt Operations Fund	Add Ecology NPDES Grant Amendment		50,000
450-Surface Water Mgt Operations Fund	Add appropriations for SWM Rate Study	46,000	
450-Surface Water Mgt Operations Fund	Add appropriations for new maintenance truck	46,754	
450-Surface Water Mgt Operations Fund	Add appropriations for City works	56,284	
450-Surface Water Mgt Operations Fund	Increase Ending Fund Balance	9,261	
451-Surface Water Mgt Capital Fund	Increase Beginning Fund Balance - Adjust to Actual		148,133
451-Surface Water Mgt Capital Fund	Add revenues from Redondo Heights Condo Association		118,800
451-Surface Water Mgt Capital Fund	Add appropriations for Redondo Heights Culvert Repl	190,000	
451-Surface Water Mgt Capital Fund	Increase Ending Fund Balance	76,933	
500-Equipment Rental Operations Fund	Increase Beginning Fund Balance - Adjust to Actual		12,133
500-Equipment Rental Operations Fund	Add FEMA Grant Revenues for Jan 2012 Snow & Ice Storm		1,867
500-Equipment Rental Operations Fund	Add State Emergency Mgt Grant Funds for Jan 2012 Snow & Ice Storm		311
500-Equipment Rental Operations Fund	Add revenues from transfer-in from Eq Repl Fund Flush Truck Reserves		24,000
500-Equipment Rental Operations Fund	Add appropriations for Flush Truck repairs	24,000	
500-Equipment Rental Operations Fund	Increase Ending Fund Balance	14,311	
501-Equipment Rental Replacement Fund	Increase Beginning Fund Balance - Adjust to Actual		25,466
501-Equipment Rental Replacement Fund	Add FEMA Grant Revenues for Jan 2012 Snow & Ice Storm		32,399
501-Equipment Rental Replacement Fund	Add State Emergency Mgt Grant Funds for Jan 2012 Snow & Ice Storm		5,400
501-Equipment Rental Replacement Fund	Add appropriations for new P-241 Dump Truck	10,918	
501-Equipment Rental Replacement Fund	Add appropriations for John Deere Tractor to replace 1998 Kubota Tractor	6,500	
501-Equipment Rental Replacement Fund	Carry forward 2011 replacement vehicle-Eqp.Rental F-350	9,668	
501-Equipment Rental Replacement Fund	Add appropriations for used Econoline Van for the Marina	7,611	
501-Equipment Rental Replacement Fund	Add appropriations for transfer-out to Eqp Rental Ops Fund-Flush Truck	24,000	
501-Equipment Rental Replacement Fund	Increase Ending Fund Balance	4,570	

Fund	Description	Expenditure Adjustments	Revenue Adjustments
506-Facility Repair & Replacement Fund	Increase Beginning Fund Balance - Adjust to Actual		3,983
506-Facility Repair & Replacement Fund	Decrease Revenues for Transfer from Fund 211 1995 GO Fund		(193)
506-Facility Repair & Replacement Fund	Remove appropriations Field House Exterior Paint	(40,000)	
506-Facility Repair & Replacement Fund	Remove appropriations Activity Center Interior Paint	(7,500)	
506-Facility Repair & Replacement Fund	Add appropriations for Police Building Exterior Paint	7,000	
506-Facility Repair & Replacement Fund	Add appropriations for Auditorium re-roof	68,000	
506-Facility Repair & Replacement Fund	Add appropriations for City Hall Walkway Canopy Repair	4,753	
506-Facility Repair & Replacement Fund	Remove appropriations for Engr Building Side Sewer Line	(18,000)	
506-Facility Repair & Replacement Fund	Revise appropriations for Founder's Lodge Improvements	(2,500)	
506-Facility Repair & Replacement Fund	Decrease Ending Fund Balance	(7,983)	
510-Computer Equipment Operations Fund	Increase Beginning Fund Balance - Adjust to Actual		33,783
510-Computer Equipment Operations Fund	Add transfer-in from Computer, Eq Repl Fund for City Website annual mtc		11,439
510-Computer Equipment Operations Fund	Add appropriations for City Website annual maintenance	11,439	
510-Computer Equipment Operations Fund	Increase Ending Fund Balance	33,783	
511-Computer Equipment Replacement Fund	Increase Beginning Fund Balance - Adjust to Actual		82,055
511-Computer Equipment Replacement Fund	Carry forward appropriations for City Website Upgrade	26,175	
511-Computer Equipment Replacement Fund	Carry forward appropriations for City Website Upgrade - Tsf for annual mtc	11,439	
511-Computer Equipment Replacement Fund	Increase Ending Fund Balance	44,441	
520-Self-Insurance Fund	Increase Beginning Fund Balance - Adjust to Actual		21,280
520-Self-Insurance Fund	Add transfer-in from General Fund to increase ending fund balance		20,000
520-Self-Insurance Fund	Add appropriations for settlement of Richter Case-Mediator	1,827	
520-Self-Insurance Fund	Add appropriations for settlement of Richter Case	75,000	
520-Self-Insurance Fund	Add appropriations for settlement of Chad Pierce PDR Case	28,530	
520-Self-Insurance Fund	Decrease Ending Fund Balance	(64,077)	
530-Unemployment Insurance Fund	Adjust Beginning and Ending Fund Balances to Actual	34,869	34,869
TOTAL ADJUSTMENTS		\$ 5,763,500	\$ 5,763,500

WHEREAS, the City Council finds that the 2012 budget amendments to the City's budget are in the public interest; now therefore,

THE CITY COUNCIL OF THE CITY OF DES MOINES ORDAINS AS FOLLOWS:

Sec. 1. Findings. Each and every of the findings expressed in the recitals to this ordinance are hereby adopted and incorporated by reference.

Sec. 2. Amendment to 2012 Budget. Exhibit "A" of Ordinance No. 1529 (uncodified) (2012 Budget) is amended by Appendix "A" attached to this Ordinance and incorporated herein by this reference as though fully set out.

Sec. 3. Ratification and Confirmation. All acts taken by City officers and staff prior to the enactment of this ordinance that are consistent with and in furtherance of the purpose or intent of this ordinance are hereby ratified and confirmed by the City Council.

Sec. 4. Severability - Construction.

(1) If a section, subsection, paragraph, sentence, clause or phrase of this ordinance is declared unconstitutional or invalid for any reason by any court or competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance.

(2) If the provisions of this ordinance are found to be inconsistent with other provisions of the Des Moines Municipal Code, this ordinance deems control.

Sec 5. Effective date. This ordinance shall take effect and be in full force five (5) days after its passage, approval and publication according to law.

PASSED BY the City Council of the City of Des Moines this ____ day of _____, 2012 and signed in authentication thereof this ____ day of _____, 2012.

M A Y O R

APPROVED AS TO FORM:

City Attorney

ATTEST:

City Clerk

Published: _____, 2012

CITY OF DES MOINES
DRAFT ORDINANCE NO. 12-105
APPENDIX A 2012 BUDGET

FINAL		Expenditure	Ending Fund Balance	Total	Revenue	Beginning Fund Balance	Total
ANNUAL APPROPRIATION FUNDS:							
001	General Fund	16,251,173	1,030,384	17,281,557	16,292,186	989,371	17,281,557
101	Street Fund	1,054,697	240,692	1,295,389	1,060,573	234,816	1,295,389
107	Police Drug Seizure Fund	15,000	15,835	30,835	15,026	15,809	30,835
111	Hotel/Motel Tax Fund	16,347	4,407	20,754	16,032	4,722	20,754
112	Police Services Restoration Fund	1,251,639	-	1,251,639	908,500	343,139	1,251,639
211	1995 GO Bond - Police Facility	33,777	-	33,777	535	33,242	33,777
212	LID Fund	4,066	749	4,815	4,815	-	4,815
219	2008 GO & Ref Bond - Trans Capital Imprv	327,913	21,219	349,132	327,940	21,192	349,132
220	Debt Service Fund	88,471	2	88,473	88,471	2	88,473
401	Marina Revenue Fund	7,307,059	1,239,077	8,546,136	7,088,376	1,457,760	8,546,136
403	Marina Repair and Replacement	20,000	327,424	347,424	1,873	345,551	347,424
450	Surface Water Operations Fund	2,962,327	894,556	3,856,883	2,565,460	1,291,423	3,856,883
500	Equip Rental Operations	549,761	133,763	683,524	530,996	152,528	683,524
501	Equip Rental Replacement	180,195	1,340,875	1,521,070	118,199	1,402,871	1,521,070
506	Facility Repair and Replacement Fund	117,253	44,982	162,235	109,734	52,501	162,235
510	Computer Equipment Operations Fund	530,851	67,097	597,948	484,843	113,105	597,948
511	Computer Equipment Capital Fund	225,414	212,796	438,210	93,514	344,696	438,210
520	Self-Insurance Fund	745,295	24,774	770,069	606,339	163,730	770,069
530	Unemployment Insurance Fund	100,000	146,257	246,257	55,843	190,414	246,257
	SUB-TOTAL	31,781,238	5,744,889	37,526,127	30,369,255	7,156,872	37,526,127
CONTINUING APPROPRIATION FUNDS (MEMO ONLY):							
109	Transportation Impact Fee Fund	391,317	8,805	400,122	66,854	333,268	400,122
310	Municipal Capital Improvements	938,884	302,735	1,241,619	997,856	243,763	1,241,619
319	Transportation Capital Imprv Fund, 2008B	15,370,673	296,859	15,667,532	14,444,572	1,222,960	15,667,532
404	Marina Depreciation & Improvement	4,367	-	4,367	307	4,060	4,367
406	Marina Depreciation & Improvement, 2008A	805,889	92,425	898,314	611,096	287,218	898,314
451	Surface Water Capital Fund	933,100	1,022,945	1,956,045	927,471	1,028,574	1,956,045
	SUB-TOTAL	18,444,230	1,723,769	20,167,999	17,048,156	3,119,843	20,167,999
	TOTAL	50,225,468	7,468,658	57,694,126	47,417,411	10,276,715	57,694,126

**2012 BUDGET AMENDMENTS
DRAFT ORDINANCE 12-105**

		2012	Draft Ord 12-105	2012
		Adopted	Budget	Amended
Fund 001 General Fund	Account No.	Budget	Amendments	Budget
Beginning Fund Balance	001.000.000.308.70.00.00	\$ 1,441,378	\$ (452,007)	\$ 989,371
Revenues		13,389,569	-	13,389,569
Revenue Budget Amendments:				
Reduce one-time Sales Tax-New Construction for delay of Artemis Hotel	001.000.000.313.00.10.00	176,222	(130,259)	45,963
Eliminate one-time B&O Taxes for delay of Artemis Hotel	001.000.000.316.10.00.01	41,883	(41,883)	-
Increase Base Building Permit Fees due to revised projections	001.000.000.322.10.00.00	346,964	62,396	409,360
Eliminate one-time Building Permits For delay in projects	001.000.000.322.10.10.00	579,349	(579,349)	-
Carry forward Artemis Hotel Land Clearing Permit Revenue	001.000.000.322.90.02.01	-	7,701	7,701
Revise DMCBP Land Clearing Permit Revenue	001.000.000.322.90.02.01	31,336	52,200	83,536
Revise Bureau Justice Assistance for bullet proof vests to award balance	001.000.000.331.16.60.70	3,000	1,680	4,680
Carry forward EAP SAAP Grant for WD #54 Downtown Wtr System Imprv	001.000.000.331.66.60.50	-	121,312	121,312
Add FEMA Grant Revenues for Jan 2012 Snow & Ice Storm	001.000.000.333.97.03.63	-	4,539	4,539
Add State Emergency Mgt Grant Funds for Jan 2012 Snow & Ice Storm	001.000.000.334.01.80.07	-	757	757
Add Revenues for WA Traffic Safety Commission donation of E-Ticketing equipment	001.000.000.334.03.50.00	5,673	8,820	14,493
Reduce City Assistance Revenues based on State revisions	001.000.000.336.00.98.00	69,811	(16,063)	53,748
Reduce Liquor Board Excise Taxes due to State Legislation	001.000.000.336.06.94.00	148,697	(39,380)	109,317
Revise Liquor Board Profits due to I-1183	001.000.000.336.06.95.00	183,719	112,481	296,200
Eliminate Liquor License Fees (Included with Liquor Board Profits)	001.000.000.336.06.96.00	123,800	(123,800)	-
Add Revenues for SCORE Court Costs	001.000.000.338.12.00.02	-	7,600	7,500
Increase COPS Hiring Program Grant due to award extension	001.000.000.339.16.71.00	87,300	87,300	174,600
Carry forward HEAL Grant Program Revenues	001.000.000.339.47.25.00	31,346	31,257	62,603
Increase Revenues Court Record Check Fees	001.000.000.342.33.06.00	46,000	20,000	66,000
Increase Revenues Court Sentence Compliance Fees	001.000.000.342.33.07.00	47,000	20,000	67,000
Increase One-time Engineering Plan Review Fees per Dev Svcs revised projections	001.000.000.343.20.03.01	31,562	122,607	154,169
Increase Base Zoning Fees per Dev Services revised projections	001.000.000.345.81.01.00	118,668	11,320	129,988
Decrease one-time Zoning Fees DMCBP per Dev Services revised projections	001.000.000.345.81.01.01	77,680	(64,800)	12,880
Increase one-time Plan Check Fees per Dev Services revised projections	001.000.000.345.83.00.03	127,139	159,174	286,313
Increase Fines & Forfeits revenues due to increased traffic enforcement	001.000.000.350.00.00.00	240,000	40,000	280,000
Decrease Automated Speed Enforcement Revenues	001.000.000.354.00.02.00	440,890	(89,285)	351,605
Add Revenues for State Justice Institute Award-Court staffing analysis	001.000.000.367.11.06.00	-	36,000	36,000
Add Revenues for NRPA Grant for Summer Lunch Program	001.640.000.367.11.07.00	-	30,000	30,000
Increase transfer from Levy Lid Lift Fund	001.680.000.397.00.13.00	83,393	8,960	92,353
Total Revenues		16,431,001	(138,815)	16,292,186
Total Revenues & Beginning Fund Balance		\$ 17,872,379	\$ (590,822)	\$ 17,281,557
Expenditures		\$ 15,159,318	\$ -	\$ 15,159,318
Expenditure Budget Amendments:				
Add appropriations for Court staffing analysis	001.120.022.512.50.41.00	-	40,000	40,000
Increase appropriations for medical provider administration fees	001.230.000.516.10.41.00	22,765	53,625	76,390
Carry forward Highline CC Associated Students sponsorship	001.310.045.573.20.49.16	-	6,000	6,000
Add appropriations for fair value of donated E-Ticketing equipment	001.380.004.521.70.35.00	-	8,820	8,820
Increase appropriations for SCORE misdemeanor maintenance	001.400.010.523.60.51.44	275,000	229,412	504,412
Carry forward WD #54 Downtown Water System Imprv	001.485.034.598.97.52.00	-	121,312	121,312
Carry forward HEAL Grant Program expenditures	001.625.039.562.10.10.00	22,235	23,755	45,990
Carry forward HEAL Grant Program expenditures	001.625.039.562.10.20.00	5,367	4,107	9,474
Carry forward HEAL Grant Program expenditures	001.625.039.562.10.31.00	300	700	1,000
Carry forward HEAL Grant Program expenditures	001.625.039.562.10.42.00	150	250	400
Carry forward HEAL Grant Program expenditures	001.625.039.562.10.49.00	1,507	2,493	4,000
Add appropriations for Sonju irrigation extension paid for by plot fees	001.635.045.576.81.31.03	7,740	400	8,140
Add appropriations for park buildings flood insurance	001.635.045.576.81.46.00	-	5,312	5,312
Add appropriations for Summer Lunch Program	001.640.045.574.20.41.44	-	30,000	30,000
Add appropriations for transfer-out to Self-Insurance Fd-legal settlement	001.680.041.597.19.18.00	-	20,000	20,000
Reduce appropriations for transfer-out to Trans CIP Fund - ASE Program	001.680.041.597.44.00.00	300,000	(69,395)	210,605
Total Expenditures		15,794,382	456,791	16,251,173
Ending Fund Balance	001.700.042.508.80.00.00	2,077,997	(1,047,613)	1,030,384
Total Expenditures & Ending Fund Balance		\$ 17,872,379	\$ (590,822)	\$ 17,281,557

**2012 BUDGET AMENDMENTS
DRAFT ORDINANCE 12-105**

		2012 Adopted Budget	Draft Ord 12-105 Budget Amendments	2012 Amended Budget
Fund 101 Street Fund:	Account No.:			
Beginning Fund Balance	101.000.000.308.70.00.00	\$ 170,006	\$ 64,810	\$ 234,816
Revenues		1,051,082	-	1,051,082
Revenue Budget Amendments:				
Add FEMA Grant Revenues for Jan 2012 Snow & Ice Storm	101.000.000.333.97.03.63	-	8,135	8,135
Add State Emergency Mgt Grant Funds for Jan 2012 Snow & Ice Storm	101.000.000.334.01.80.07	-	1,356	1,356
Total Revenues		1,051,082	9,491	1,060,573
Total Revenues & Beginning Fund Balance		\$ 1,221,088	\$ 74,301	\$ 1,295,389
Expenditures		\$ 1,054,697	\$ -	\$ 1,054,697
Total Expenditures		1,054,697	-	1,054,697
Ending Fund Balance	101.980.002.508.80.00.00	166,391	74,301	240,692
Total Expenditures & Ending Fund Balance		\$ 1,221,088	\$ 74,301	\$ 1,295,389

		2012 Adopted Budget	Draft Ord 12-105 Budget Amendments	2012 Amended Budget
Fund 107 Drug Seizure Fund:	Account No.:			
Beginning Fund Balance	107.000.000.308.70.00.00	\$ 15,900	\$ (91)	\$ 15,809
Revenues		15,026	-	15,026
Total Revenues		15,026	-	15,026
Total Revenues & Beginning Fund Balance		\$ 30,926	\$ (91)	\$ 30,835
Expenditures		\$ 15,000	\$ -	\$ 15,000
Total Expenditures		\$ 15,000	\$ -	\$ 15,000
Ending Fund Balance	107.000.000.508.80.00.00	15,926	(91)	15,835
Total Expenditures & Ending Fund Balance		\$ 30,926	\$ (91)	\$ 30,835

		2012 Adopted Budget	Draft Ord 12-105 Budget Amendments	2012 Amended Budget
Fund 111 Hotel/Motel Tax Fund:	Account No.:			
Beginning Fund Balance	111.000.000.308.70.00.00	\$ 4,442	\$ 280	\$ 4,722
Revenues		16,032	-	16,032
Total Revenues		16,032	-	16,032
Total Revenues & Beginning Fund Balance		\$ 20,474	\$ 280	\$ 20,754
Expenditures		\$ 16,347	\$ -	\$ 16,347
Total Expenditures		16,347	-	16,347
Ending Fund Balance	111.000.000.508.80.00.00	4,127	280	4,407
Total Expenditures & Ending Fund Balance		\$ 20,474	\$ 280	\$ 20,754

		2012 Adopted Budget	Draft Ord 12-105 Budget Amendments	2012 Amended Budget
Fund 112 Police Services Restoration Fund:	Account No.:			
Beginning Fund Balance	112.000.000.308.70.00.00	\$ 344,179	\$ (1,040)	\$ 343,139
Revenues		888,800	-	888,800
Revenue Budget Amendments:				
Add Auto Theft Grant Revenues for equipment purchases	001.000.000.338.21.00.07	-	19,700	19,700
Total Revenues		888,800	19,700	908,500
Total Revenues & Beginning Fund Balance		\$ 1,232,979	\$ 18,660	\$ 1,251,639
Expenditures		\$ 1,149,586	\$ -	\$ 1,149,586
Expenditure Budget Amendments:				
Add appropriations for Auto Task Force Grant funded equipment	112.340.030.521.10.35.90	-	9,700	9,700
Increase transfer to General Fund	112.360.030.597.21.00.00	83,393	8,960	92,353
Total Expenditures		1,232,979	18,660	1,251,639
Ending Fund Balance	112.000.000.508.80.00.00	-	-	-
Total Expenditures & Ending Fund Balance		\$ 1,232,979	\$ 18,660	\$ 1,251,639

**2012 BUDGET AMENDMENTS
DRAFT ORDINANCE 12-105**

Fund 211.1995.GO Fund:	Account No.	2012 Adopted Budget	Draft Ord 12-105 Budget Amendments	2012 Amended Budget
Beginning Fund Balance	211.000.000.308.70.00.00	\$ 33,435	\$ (193)	\$ 33,242
Revenues		535		535
Total Revenues		535	-	535
Total Revenues & Beginning Fund Balance		\$ 33,970	\$ (193)	\$ 33,777
Expenditures		\$ -	\$ -	\$ -
Expenditure Budget Amendments:				
Decrease appropriations for transfer-out to Facility Repair & Repl Fund	211.000.011.597.21.00.01	33,970	(193)	33,777
Total Expenditures		33,970	(193)	33,777
Ending Fund Balance	211.000.011.508.80.00.00	-	-	-
Total Expenditures & Ending Fund Balance		\$ 33,970	\$ (193)	\$ 33,777

Fund 212 LID Fund:	Account No.	2012 Adopted Budget	Draft Ord 12-105 Budget Amendments	2012 Amended Budget
Beginning Fund Balance	212.000.000.308.70.00.00	\$ 4,824	\$ (4,824)	\$ -
Revenues		4,815	-	4,815
Total Revenues		4,815	-	4,815
Total Revenues & Beginning Fund Balance		\$ 9,639	\$ (4,824)	\$ 4,815
Expenditures		\$ 4,066	\$ -	\$ 4,066
Total Expenditures		4,066	-	4,066
Ending Fund Balance	212.000.000.508.80.00.00	5,573	(4,824)	749
Total Expenditures & Ending Fund Balance		\$ 9,639	\$ (4,824)	\$ 4,815

Fund 219.2008.GO & REF. BOND-TRANS/CAPITAL IMPRV:	Account No.	2012 Adopted Budget	Draft Ord 12-105 Budget Amendments	2012 Amended Budget
Beginning Fund Balance	219.000.000.308.70.00.00	\$ 21,187	\$ 5	\$ 21,192
Revenues		327,940	-	327,940
Total Revenues		327,940	-	327,940
Total Revenues & Beginning Fund Balance		\$ 349,127	\$ 5	\$ 349,132
Expenditures		\$ 327,913	\$ -	\$ 327,913
Total Expenditures		327,913	-	327,913
Ending Fund Balance	219.000.000.508.80.00.00	21,214	5	21,219
Total Expenditures & Ending Fund Balance		\$ 349,127	\$ 5	\$ 349,132

Fund 220 Misc Debt Fund:	Account No.	2012 Adopted Budget	Draft Ord 12-105 Budget Amendments	2012 Amended Budget
Beginning Fund Balance	220.000.000.308.70.00.00	\$ 2	\$ -	\$ 2
Revenues		53,899	-	53,899
Revenue Budget Amendments:				
Reduce transfer-in from Transportation CIP Fund for PWTF Loan-Gateway	220.104.000.397.00.00.00	273,542	(238,970)	34,572
Total Revenues		327,441	(238,970)	88,471
Total Revenues & Beginning Fund Balance		\$ 327,443	\$ (238,970)	\$ 88,473
Expenditures		\$ 53,899	\$ -	\$ 53,899
Expenditure Budget Amendments:				
Reduce PWTF Loan Principal - Gateway Project for loan term extension	220.104.000.591.42.78.00	270,834	(238,971)	31,863
Increase PWTF Loan Interest - Gateway Project for loan term extension	220.104.000.592.42.83.00	2,708	1	2,709
Total Expenditures		327,441	(238,970)	88,471
Ending Fund Balance	220.900.000.508.80.00.00	2	-	2
Total Expenditures & Ending Fund Balance		\$ 327,443	\$ (238,970)	\$ 88,473

**2012 BUDGET AMENDMENTS
DRAFT ORDINANCE 12-105**

		2012 Adopted Budget	Draft Ord 12-105 Budget Amendments	2012 Amended Budget
Fund 401 Marina Revenue Fund				
Account No.				
Beginning Fund Balance	401.000.000.308.70.00.00	\$ 1,461,755	\$ (3,995)	\$ 1,457,760
Revenues		4,100,430	-	4,100,430
Revenue Budget Amendments:				
Add FEMA Grant Revenues for Jan 2012 Snow & Ice Storm	401.000.000.333.97.03.63	-	679	679
Add State Emergency Mgt Grant Funds for Jan 2012 Snow & Ice Storm	401.000.000.334.01.80.07	-	113	113
Add 2012 Advance Refunding Bond Proceeds	401.000.000.382.10.00.00	-	2,810,000	2,810,000
Add 2012 Advance Refunding Bonds Premium on Bonds Sold	401.000.000.392.00.00.00	-	177,154	177,154
Total Revenues		4,100,430	2,987,946	7,088,376
Total Revenues & Beginning Fund Balance		\$ 5,562,185	\$ 2,983,951	\$ 8,546,136
Expenditures		\$ 3,938,797	\$ -	\$ 3,938,797
Expenditure Budget Amendments:				
Add appropriations for Market Analysis	401.100.000.575.71.41.00	25,000	49,220	74,220
Add appropriations for 2012 Adv Ref Bond Issue Principal Payment	401.100.000.592.79.71.04	-	265,000	265,000
Add appropriations for 2012 Adv Ref Bond Issue Interest Payment	401.100.000.592.79.83.04	-	54,020	54,020
Add appropriations for 2012 Adv Ref Bond issuance costs	401.100.000.592.89.84.00	-	48,413	48,413
Add appropriations for Harbor Management Software	401.100.000.594.75.64.00	-	4,271	4,271
Reduce appropriations for tsf-out to Marina Depr & Impr Fd 404 for 2002 bonds debt Svc	401.100.000.597.71.06.00	329,915	(329,613)	302
Add appropriations for power pedestals	401.300.000.594.75.64.00	-	4,918	4,918
Add appropriations for payment to Bond Refunding Escrow	401.100.000.599.89.71.00	-	2,917,118	2,917,118
Total Expenditures		4,293,712	3,013,347	7,307,059
Ending Fund Balance	401.350.000.508.80.00.00	1,268,473	(29,396)	1,239,077
Total Expenditures & Ending Fund Balance		\$ 5,562,185	\$ 2,983,951	\$ 8,546,136

		2012 Adopted Budget	Draft Ord 12-105 Budget Amendments	2012 Amended Budget
Fund 403 Marina Repair & Replacement Fund				
Account No.				
Beginning Fund Balance	403.000.000.308.70.00.00	\$ 339,395	\$ 6,156	\$ 345,551
Revenues		1,873	-	1,873
Total Revenues		1,873	-	1,873
Total Revenues & Beginning Fund Balance		\$ 341,268	\$ 6,156	\$ 347,424
Expenditures		\$ 20,000	\$ -	\$ 20,000
Total Expenditures		20,000	-	20,000
Ending Fund Balance	403.000.015.508.80.00.00	321,268	6,156	327,424
Total Expenditures & Ending Fund Balance		\$ 341,268	\$ 6,156	\$ 347,424

		2012 Adopted Budget	Draft Ord 12-105 Budget Amendments	2012 Amended Budget
Fund 450 Surface Water Management Operations Fund				
Account No.				
Beginning Fund Balance	450.000.000.308.70.00.00	\$ 1,189,907	\$ 101,516	\$ 1,291,423
Revenues		2,508,697	-	2,508,697
Revenue Budget Amendments:				
Add FEMA Grant Revenues for Jan 2012 Snow & Ice Storm	450.000.000.333.97.03.63	-	5,797	5,797
Add State Emergency Mgt Grant Funds for Jan 2012 Snow & Ice Storm	450.000.000.334.01.80.07	-	966	966
Add Ecology NPDES Grant Amendment	450.000.000.334.03.10.01	-	50,000	50,000
Total Revenues		2,508,697	56,763	2,565,460
Total Revenues & Beginning Fund Balance		\$ 3,698,604	\$ 158,279	\$ 3,856,883
Expenditures		\$ 2,701,859	\$ -	\$ 2,701,859
Expenditure Budget Amendments:				
Add appropriations for SWM Rate Study	450.100.000.538.31.41.00	103,200	46,000	149,200
Add appropriations for new maintenance truck	450.200.000.594.35.64.00	-	46,754	46,754
Add appropriations for Cityworks	450.400.000.594.38.64.00	8,250	56,264	64,514
Total Expenditures		2,813,309	149,018	2,962,327
Ending Fund Balance	450.000.000.508.80.00.00	885,295	9,261	894,556
Total Expenditures & Ending Fund Balance		\$ 3,698,604	\$ 158,279	\$ 3,856,883

**2012 BUDGET AMENDMENTS
DRAFT ORDINANCE 12-105**

Fund 500 Equipment Rental Operations Fund:	Account No.	2012 Adopted Budget	Draft Ord 12-105 Budget Amendments	2012 Amended Budget
Beginning Fund Balance	500.000.000.308.70.00.00	\$ 140,395	\$ 12,133	\$ 152,528
Revenues		504,818	-	504,818
Revenue Budget Amendments:				
Add FEMA Grant Revenues for Jan 2012 Snow & Ice Storm	500.000.000.333.97.03.63	-	1,867	1,867
Add State Emergency Mgt Grant Funds for Jan 2012 Snow & Ice Storm	500.000.000.334.01.80.07	-	311	311
Add revenues from transfer-in from Eqp Repl Fund Flush Truck Reserves	500.000.000.397.48.00.00	-	24,000	24,000
Total Revenues		504,818	26,178	530,996
Total Revenues & Beginning Fund Balance		\$ 645,213	\$ 38,311	\$ 683,524
Expenditures		\$ 520,761	\$ -	\$ 520,761
Expenditure Budget Amendments:				
Add appropriations for Flush Truck repairs	500.000.052.548.60.48.21	5,000	24,000	29,000
Total Expenditures		525,761	24,000	549,761
Ending Fund Balance	500.000.052.508.80.00.00	119,452	14,311	133,763
Total Expenditures & Ending Fund Balance		\$ 645,213	\$ 38,311	\$ 683,524

Fund 501 Equipment Rental Replacement Fund:	Account No.	2012 Adopted Budget	Draft Ord 12-105 Budget Amendments	2012 Amended Budget
Beginning Fund Balance	501.000.000.308.70.00.00	\$ 1,377,405	\$ 25,466	\$ 1,402,871
Revenues		80,400	-	80,400
Revenue Budget Amendments:				
Add FEMA Grant Revenues for Jan 2012 Snow & Ice Storm	501.000.000.333.97.03.63	-	32,399	32,399
Add State Emergency Mgt Grant Funds for Jan 2012 Snow & Ice Storm	501.000.000.334.01.80.07	-	5,400	5,400
Total Revenues		80,400	37,799	118,199
Total Revenues & Beginning Fund Balance		\$ 1,457,805	\$ 63,265	\$ 1,521,070
Expenditures		\$ 71,500	\$ -	\$ 71,500
Expenditure Budget Amendments:				
Add appropriations for new P-241 Dump Truck	501.000.000.594.28.64.00	-	10,918	10,918
Add appropriations for John Deere Tractor to replace 1998 Kubota Tractor	501.000.000.594.28.64.00	-	6,500	6,500
Carry forward 2011 replacement vehicle-Eqp Rental F-350	501.000.000.594.48.64.00	-	9,666	9,666
Add appropriations for used Econoline Van for the Marina	501.000.000.594.75.64.00	50,000	7,611	57,611
Add appropriations for transfer-out to Eqp Rental Ops Fund-Flush Truck	501.000.000.597.48.00.00	-	24,000	24,000
Total Expenditures		121,500	58,695	180,195
Ending Fund Balance	501.000.000.508.80.00.00	1,336,305	4,570	1,340,875
Total Expenditures & Ending Fund Balance		\$ 1,457,805	\$ 63,265	\$ 1,521,070

Fund 506 Facility Repair & Replacement Fund:	Account No.	2012 Adopted Budget	Draft Ord 12-105 Budget Amendments	2012 Amended Budget
Beginning Fund Balance	506.000.000.308.70.00.00	\$ 48,518	\$ 3,983	\$ 52,501
Revenues		75,957	-	75,957
Revenue Budget Amendments:				
Decrease revenues for transfer from Fund 211 1995 GO Fund	506.000.000.397.21.00.01	33,970	(193)	33,777
Total Revenues		109,927	(193)	109,734
Total Revenues & Beginning Fund Balance		\$ 158,445	\$ 3,790	\$ 162,235
Expenditures		\$ -	\$ -	\$ -
Expenditure Budget Amendments:				
Remove appropriations Field House Exterior Paint	506.000.000.539.50.48.25	40,000	(40,000)	-
Remove appropriations Activity Center Interior Paint	506.000.000.539.50.48.27	7,500	(7,500)	-
Add appropriations for Police Building Exterior Paint	506.000.000.539.50.48.28	15,000	7,000	22,000
Add appropriations for Auditorium re-roof	506.000.000.539.50.48.29	-	68,000	68,000
Add appropriations for City Hall Walkway Canopy Repair	506.000.000.594.19.62.08	-	4,753	4,753
Remove appropriations for Engr Building Side Sewer Line	506.000.000.594.32.63.01	18,000	(18,000)	-
Revise appropriations for Founder's Lodge Improvements	506.000.000.594.76.62.01	25,000	(2,500)	22,500
Total Expenditures		105,500	11,753	117,253
Ending Fund Balance	506.000.000.508.80.00.00	52,945	(7,963)	44,982
Total Expenditures & Ending Fund Balance		\$ 158,445	\$ 3,790	\$ 162,235

**2012 BUDGET AMENDMENTS
DRAFT ORDINANCE 12-105**

	Account No.	2012 Adopted Budget	Draft Ord. 12-105 Budget Amendments	2012 Amended Budget
Fund 510 Computer Equipment Operations Fund:				
Beginning Fund Balance	510.000.000.308.70.00.00	\$ 79,322	\$ 33,783	\$ 113,105
Revenues		466,104	-	466,104
Revenue Budget Amendments:				
Add transfer-in from Computer Eqp Repl Fund for City Website annual mtc	510.000.000.397.10.22.00	7,300	11,439	18,739
Total Revenues		473,404	11,439	484,843
Total Revenues & Beginning Fund Balance		\$ 552,726	\$ 45,222	\$ 597,948
Expenditures		\$ 427,100	\$ -	\$ 427,100
Expenditure Budget Amendments:				
Add appropriations for City Website annual maintenance	510.000.000.518.80.48.15	92,312	11,439	103,751
Total Expenditures		519,412	11,439	530,851
Ending Fund Balance	510.000.048.508.80.00.00	33,314	33,783	67,097
Total Expenditures & Ending Fund Balance		\$ 552,726	\$ 45,222	\$ 597,948

	Account No.	2012 Adopted Budget	Draft Ord. 12-105 Budget Amendments	2012 Amended Budget
Fund 511 Computer Equipment Replacement Fund:				
Beginning Fund Balance	511.000.000.308.70.00.00	\$ 262,641	\$ 82,055	\$ 344,696
Revenues		93,514	-	93,514
Total Revenues		93,514	-	93,514
Total Revenues & Beginning Fund Balance		\$ 356,155	\$ 82,055	\$ 438,210
Expenditures		\$ 57,900	\$ -	\$ 57,900
Expenditure Budget Amendments:				
Carry forward appropriations for City Website Upgrade	511.000.000.594.18.64.00	122,600	26,175	148,775
Carry forward appropriations for City Website Upgrade - Tsf for annual mtc	511.000.000.597.43.01.00	7,300	11,439	18,739
Total Expenditures		187,800	37,614	225,414
Ending Fund Balance	511.000.000.508.80.00.00	168,355	44,441	212,796
Total Expenditures & Ending Fund Balance		\$ 356,155	\$ 82,055	\$ 438,210

	Account No.	2012 Adopted Budget	Draft Ord. 12-105 Budget Amendments	2012 Amended Budget
Fund 520 Self-Insurance Fund:				
Beginning Fund Balance	520.000.000.308.70.00.00	\$ 142,450	\$ 21,280	\$ 163,730
Revenues		586,339	-	586,339
Revenue Budget Amendments:				
Add transfer-in from General Fund to increase ending fund balance	520.000.000.397.00.00.00	-	20,000	20,000
Total Revenues		586,339	20,000	606,339
Total Revenues & Beginning Fund Balance		\$ 728,789	\$ 41,280	\$ 770,069
Expenditures		\$ 639,938	\$ -	\$ 639,938
Expenditure Budget Amendments:				
Add appropriations for settlement of Richter Case-Mediator	520.100.000.514.78.41.00	-	1,827	1,827
Add appropriations for settlement of Richter Case	520.100.000.514.78.49.21	-	75,000	75,000
Add appropriations for settlement of Chad Pierce PDR Case	520.100.000.514.78.49.21	-	28,530	28,530
Total Expenditures		639,938	105,357	745,295
Ending Fund Balance	520.000.046.508.80.00.00	88,851	(64,077)	24,774
Total Expenditures & Ending Fund Balance		\$ 728,789	\$ 41,280	\$ 770,069

**2012 BUDGET AMENDMENTS
DRAFT ORDINANCE 12-105**

		2012 Adopted Budget	Draft Ord 12-105 Budget Amendments	2012 Amended Budget
Fund 530 Unemployment Insurance Fund:	Account No.:			
Beginning Fund Balance	530.000.000.308.70.00.00	\$ 155,545	\$ 34,869	\$ 190,414
Revenues		55,843		55,843
Total Revenues		55,843	-	55,843
Total Revenues & Beginning Fund Balance		\$ 211,388	\$ 34,869	\$ 246,257
Expenditures		\$ 100,000	\$ -	\$ 100,000
Total Expenditures		100,000	-	100,000
Ending Fund Balance	530.000.045.508.80.00.00	111,388	34,869	146,257
Total Expenditures & Ending Fund Balance		\$ 211,388	\$ 34,869	\$ 246,257

CAPITAL IMPROVEMENT FUNDS:

		2012 Adopted Budget	Draft Ord 12-105 Budget Amendments	2012 Amended Budget
Fund 109 Transportation Impact Fee Fund:	Account No.:			
Beginning Fund Balance	109.000.000.308.70.00.00	\$ 333,215	\$ 53	\$ 333,268
Revenues		66,854	-	66,854
Total Revenues		66,854	-	66,854
Total Revenues & Beginning Fund Balance		\$ 400,069	\$ 53	\$ 400,122
Expenditures		\$ 391,317	\$ -	\$ 391,317
Total Expenditures		391,317	-	391,317
Ending Fund Balance	109.000.000.508.80.00.00	8,752	53	8,805
Total Expenditures & Ending Fund Balance		\$ 400,069	\$ 53	\$ 400,122

		2012 Adopted Budget	Draft Ord 12-105 Budget Amendments	2012 Amended Budget
Fund 310 Municipal Capital Improvement Fund:	Account No.:			
Beginning Fund Balance	310.000.000.308.70.00.00	\$ 246,197	\$ (2,434)	\$ 243,763
Revenues		576,400	-	576,400
<u>Revenue Budget Amendments:</u>				
Carry forward federal grant funds for DM Creek Trail	310.000.000.333.20.20.50	-	54,334	54,334
Carry Forward FEMA grant funds for Beach Park Mudslide	310.000.000.333.97.03.66	-	17,512	17,512
Carry forward State Emrg Mgt funds for Beach Park Mudslide	310.000.000.334.01.80.06	-	2,919	2,919
Carry Forward WA ST Heritage grant funds for Dining Hall	310.000.000.334.06.90.05	-	246,856	246,856
Carry forward WA ST Heritage grant funds for Grandstand/Field House Imprv	310.000.000.334.06.90.06	-	74,335	74,335
Carry Forward contributions from DMLF for Grandstand	310.000.000.367.11.01.00	-	2,500	2,500
Remove Cherry St. Builders Damages	310.000.000.369.40.00.00	20,000	(20,000)	-
Carry Forward Utility Rebates/Citywide Energy Imprv	310.000.000.369.90.00.06	-	23,000	23,000
Total Revenues		596,400	401,456	997,856
Total Revenues & Beginning Fund Balance		\$ 842,597	\$ 399,022	\$ 1,241,619
Expenditures		\$ 626,750	\$ -	\$ 626,750
<u>Expenditure Budget Amendments:</u>				
Carry forward appropriations for Auditorium	310.050.100.594.76.62.00	145,000	49,610	194,610
Add appropriations for Dining Hall Decking & Fencing	310.050.200.594.76.62.01	750	46,523	47,273
Carry forward appropriations for Beach Park mudslide	310.331.000.594.76.63.00	-	11,763	11,763
Carry forward appropriations for Citywide Energy Savings project	310.700.000.594.19.63.01	-	27,016	27,016
Carry forward appropriations for Field House Restrooms project	310.700.000.594.73.62.01	-	7,782	7,782
Add appropriations for Field House Restrooms project	310.700.000.594.73.62.01	-	12,180	12,180
Carry forward appropriations for DM Creek Trail	310.700.000.594.76.63.03	-	11,510	11,510
Total Expenditures		772,500	166,384	938,884
Ending Fund Balance	310.850.000.508.80.00.00	70,097	232,638	302,735
Total Expenditures & Ending Fund Balance		\$ 842,597	\$ 399,022	\$ 1,241,619

**2012 BUDGET AMENDMENTS
DRAFT ORDINANCE 12-105**

		2012	Draft Ord 12-105	2012	
		Adopted	Budget	Amended	
Fund 319: Transportation Capital Improvement Fund		Budget	Amendments	Budget	
Account No.					
Beginning Fund Balance		\$ 319,000,000.308.70.00.00	\$ 709,720	\$ 513,240	\$ 1,222,960
Revenues			11,003,345	-	11,003,345
<u>Revenue Budget Amendments:</u>					
Carry forward CDBG grant funds for S. 216th St Imprv - Segment 4	319.000.000.333.14.21.80	-	48,800	48,800	
Reduce FHWA/HBP/BRAC funds for North Twin Bridge Seismic Retrofit	319.000.000.333.20.20.08	80,000	(35,292)	44,708	
Reduce FHWA/HBP/BRAC funds for North Twin Bridge Footing Repairs	319.000.000.333.20.20.08	80,000	(22,016)	57,984	
Remove HW&LP revenue from Traffic Safety Program	319.000.000.333.20.20.10	250,000	(250,000)	-	
Add HW&LP revenue for Citywide Arterial Street Improvements	319.000.000.333.20.20.11	-	250,000	250,000	
Carry forward WSDOT/Traffic Busters	319.000.000.334.03.60.03	-	30,000	30,000	
Add revenues for fair value of SR 509 ROW - Barnes Creek Trail	319.000.000.334.03.60.05	-	1,360,000	1,360,000	
Add revenues for fair value of ROW S 216th St Imprv Seg 2	319.000.000.334.03.60.06	-	816,000	816,000	
Carry forward PSE revenues for North Twin Bridge Seismic Retrofit	319.000.000.367.19.00.01	-	21,000	21,000	
Carry forward Quest (Century Link) reimbursement for S 216th St Imprv - Seg 4	319.000.000.367.19.00.08	-	27,343	27,343	
Carry forward PSE revenues for 24th Ave S Imprv	319.000.000.367.19.00.11	65,967	8,820	74,787	
Correct revenues for transfer of King Cty Parks Levy Funds (Barnes Crk Trail)	319.000.000.397.42.02.00	520,000	(20,000)	500,000	
Decrease transfer-in from General Fund for ASE Program	319.000.000.397.44.00.00	300,000	(89,395)	210,605	
Total Revenues			12,299,312	2,145,260	14,444,572
Total Revenues & Beginning Fund Balance			\$ 13,009,032	\$ 2,658,500	\$ 15,667,532

Expenditures			\$ 739,729	\$ -	\$ 739,729
<u>Expenditure Budget Amendments:</u>					
Carry forward appropriations for 24th Ave S. Imprv-Engineering	319.131.000.595.XX.XX.XX	5,856,291	232,716	6,089,007	
Carry forward appropriations for S 216th St. Imprv-Seg 1a	319.332.000.595.XX.XX.XX	125,000	34,588	159,588	
Carry forward appropriations for S 216th St. Imprv-Seg 2	319.333.000.595.XX.XX.XX	4,324,291	942,271	5,266,562	
Carry forward appropriations for S 216th St. Imprv-Seg 4	319.335.000.595.XX.XX.XX	-	15,485	15,485	
Add appropriations for S 216th St Imprv-Seg 4	319.335.000.595.XX.XX.XX	-	208,887	208,887	
Carry forward appropriations for Barnes Creek Trail/SR 509 ROW	319.345.000.595.20.61.00	770,000	1,436,843	2,206,843	
Carry forward appropriations for Intelligent Transportation System	319.601.000.595.XX.XX.XX	-	31,000	31,000	
Add \$61,500 /Reduce \$250,000 in appropriations for Traffic Safety Program (HW&LP)	319.603.000.595.XX.XX.XX	557,500	(188,500)	369,000	
Add appropriations for Citywide Arterial Street Improvements (HW&LP)	319.604.000.595.XX.XX.XX	-	250,000	250,000	
Reduce appropriations for transfer of funds for PWTF Loan payment-Gateway	319.800.000.597.40.00.05	273,542	(238,970)	34,572	
Total Expenditures			12,646,353	2,724,320	15,370,673
Ending Fund Balance		319.899.000.508.80.00.00	362,679	(65,820)	296,859
Total Expenditures & Ending Fund Balance			\$ 13,009,032	\$ 2,658,500	\$ 15,667,532

		2012	Draft Ord 12-105	2012	
		Adopted	Budget	Amended	
Fund 404: Marina Depreciation & Improvement		Budget	Amendments	Budget	
Account No.					
Beginning Fund Balance		\$ 404,000,000.308.70.00.00	\$ 4,059	\$ 1	\$ 4,060
Revenues			5	-	5
<u>Revenue Budget Amendments:</u>					
Reduce transfer from Marina Fund for 2002 bonds debt service	404.000.000.397.71.06.00	329,915	(329,613)	302	
Total Revenues			329,920	(329,613)	307
Total Revenues & Beginning Fund Balance			\$ 333,979	\$ (329,612)	\$ 4,367
Expenditures			\$ -	\$ -	\$ -
<u>Expenditure Budget Amendments:</u>					
Remove Principal Payment due on 2002 bond issue refunded with 2012 bond issue	404.000.000.582.79.71.00	205,000	(205,000)	-	
Remove Interest Payment due on 2002 bond issue refunded with 2012 bond issue	404.000.000.592.79.83.00	124,595	(124,595)	-	
Reduce appropriations for fiscal agent fees	404.000.000.592.79.85.00	320	(18)	302	
Transfer fund balance to Marina Depr & Imprv Fund 406	404.000.000.597.79.00.06	-	4,065	4,065	
Total Expenditures			329,915	(325,548)	4,367
Ending Fund Balance		404.000.019.508.80.00.00	4,064	(4,064)	-
Total Expenditures & Ending Fund Balance			\$ 333,979	\$ (329,612)	\$ 4,367

**2012 BUDGET AMENDMENTS
DRAFT ORDINANCE 12-105**

	Account No.	2012 Adopted Budget	Draft Ord 12-105 Budget Amendments	2012 Amended Budget
Fund 406 Marina Depreciation & Improvement 2008:				
Beginning Fund Balance	406.000.000.308.70.00.00	\$ 238,203	\$ 49,015	\$ 287,218
Revenues		607,031	-	607,031
Revenue Budget Amendments:				
Transfer-in from Marina Depr & Imprv Fund 404	406.000.000.397.79.00.06	-	4,065	4,065
Total Revenues		607,031	4,065	611,096
Total Revenues & Beginning Fund Balance		\$ 845,234	\$ 53,080	\$ 898,314
Expenditures		\$ 805,889	\$ -	\$ 805,889
Total Expenditures		805,889	-	805,889
Ending Fund Balance	406.000.000.508.80.00.00	39,345	53,080	92,425
Total Expenditures & Ending Fund Balance		\$ 845,234	\$ 53,080	\$ 898,314

	Account No.	2012 Adopted Budget	Draft Ord 12-105 Budget Amendments	2012 Amended Budget
Fund 451 Surface Water Management Capital Fund:				
Beginning Fund Balance	451.000.000.308.70.00.00	\$ 880,441	\$ 148,133	\$ 1,028,574
Revenues		808,671	-	808,671
Revenue Budget Amendments:				
Add revenues from Redondo Heights Condo Association	451.000.000.379.00.00.00	-	118,800	118,800
Total Revenues		808,671	118,800	927,471
Total Revenues & Beginning Fund Balance		\$ 1,689,112	\$ 266,933	\$ 1,956,045
Expenditures		\$ 413,100	\$ -	\$ 413,100
Expenditure Budget Amendments:				
Add appropriations for Redondo Heights Culvert Repl	451.804.000.595.40.83.01	330,000	190,000	520,000
Total Expenditures		743,100	190,000	933,100
Ending Fund Balance	451.000.000.508.80.00.00	946,012	76,933	1,022,945
Total Expenditures & Ending Fund Balance		\$ 1,689,112	\$ 266,933	\$ 1,956,045

A G E N D A I T E M

BUSINESS OF THE CITY COUNCIL
City of Des Moines, WA

SUBJECT:
2011 Year End Financial Report & June YTD
Financial Activity

ATTACHMENTS:
ATTACHMENT 1 - PowerPoint Handout

FOR AGENDA OF: August 30, 2012

DEPT. OF ORIGIN: Finance

DATE SUBMITTED: August 22, 2012

CLEARANCES:

Finance th

Legal N/A

Marina N/A

Parks, Recreation & Senior Services N/A

Planning, Building & Public Works N/A

Police N/A

Court N/A

APPROVED BY CITY MANAGER

FOR SUBMITTAL: 

Purpose and Recommendation

The purpose of this agenda item is to provide the City Council with a financial update of the City's operating and reserve funds for the year ending 2011, and June 2012 year-to-date financial activity in comparison with June 2011.

Background

The general governmental operating funds for the City include the General, Street and Police Services Restoration funds or more commonly identified as the Levy Lid Lift fund. These three funds are supported by general taxes, licenses, fees, permits, intergovernmental revenues, and other miscellaneous revenues. The General and Street funds include expenditures for general governmental purposes: legislative, executive, judicial, legal, finance, police, planning, building and public works, parks, recreation, senior services and programs. The Levy Lid Lift Fund only includes expenditures for police. Therefore, the financial performance of the three funds are presented combined.

The financial results for real estate excise taxes from 2007 through 2011 are presented in this report.

A brief overview of other special revenue funds and internal service funds are included in this report, as well as, the financial results of the Marina and the Surface Water Management Utility operating funds.

The citywide investment activity and outstanding debt as of yearend 2011 are included in this report.

The June 2012 year-to-date financial activity in comparison with June 2011 is presented for the General, Street and Police Services Restoration Fund (Levy Lid Lift Fund). In addition, June 2012 year-to-date Real Estate Excise Taxes in comparison with June 2011 is presented in this report.



City of Des Moines

2011 Year End Financial Report June 2012 Year-to-Date Financial Activity August 30, 2012

Presented by:
Paula Henderson
Finance Director

ATTACHMENT 1

1

2011 Year End Financial Report

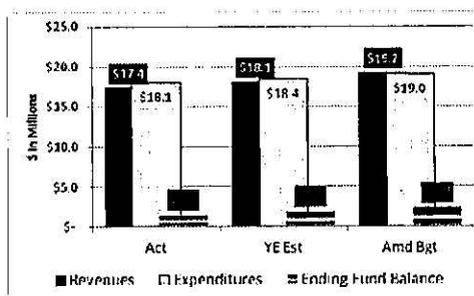
General, Street, & Levy Lid Lift Funds:

Comparison with YE Estimates & Amended Budget

- Actual Rev < YE Est \$715,342
- Actual Rev 90.6% of Amd Bgt

- Actual Exp < YE Est \$327,105
- Actual Exp 95.0% of Amd Bgt

- Actual Ending Fd Bal = \$1,955,563
- YE Estimate = \$1,567,326

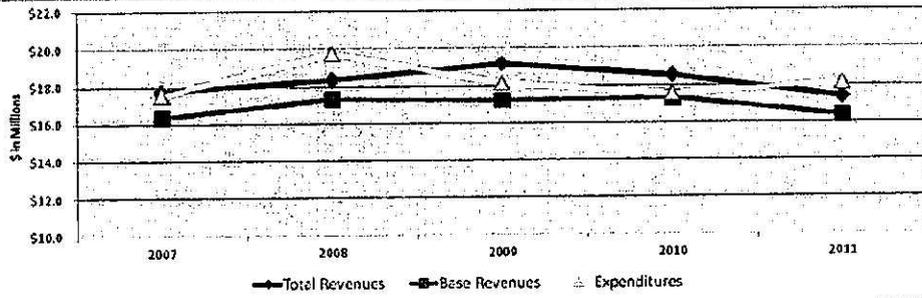


ATTACHMENT 1

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2011 Year End Financial Report

General, Street & Levy Lid Lift Funds:
2007 – 2011 Revenues & Expenditures



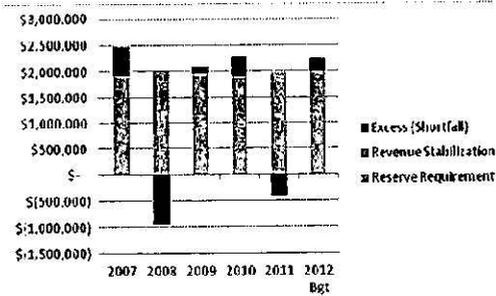
	2007	2008	2009	2010	2011
Total Revenues	\$ 17,741,623	\$ 18,355,518	\$ 19,152,777	\$ 18,527,167	\$ 17,358,986
One-Time	1,399,072	1,053,750	1,924,818	1,202,692	1,019,244
Base Revenues	\$ 16,342,551	\$ 17,301,768	\$ 17,227,959	\$ 17,324,475	\$ 16,339,742
Expenditures	\$ 17,539,371	\$ 19,749,234	\$ 18,149,728	\$ 17,528,457	\$ 18,067,497

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3

2011 Year End Financial Report

General, Street & Levy Lid Lift Funds:
2007 – 2011 Actual Fund Balances & 2012 Budget



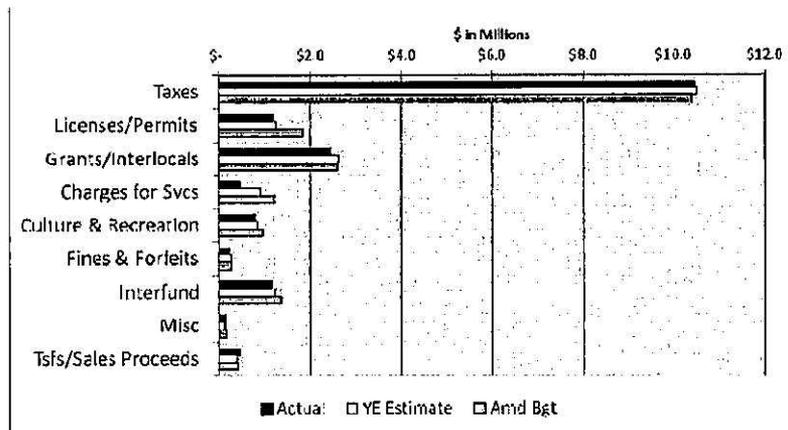
Year	Reserve Requirement	Revenue Stabilization Acct	Revenue Stabilization Fd	Required Fund Balances	Actl Fund Balances	Excess (Shortfall)
2007	\$ 1,122,525	\$ -	\$ 803,925	\$ 1,026,450	\$ 2,472,208	\$ 645,758
2008	1,217,581	-	805,154	2,022,735	1,079,233	(943,502)
2009	1,181,888	-	805,175	1,967,063	2,082,303	115,240
2010	1,111,549	805,175	-	1,916,724	2,275,838	359,114
2011	1,173,689	805,175	-	1,978,864	1,667,328	(411,538)
2012 Bgt	1,187,153	805,175	-	1,992,328	2,244,388	252,060

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2011 Year End Financial Report

General, Street & Levy Lid Lift Funds:
2011 Revenues – All Sources: \$17,358,986



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2011 Year End Financial Report

General, Street & Levy Lid Lift Funds:
2011 Revenues – Taxes: \$10,466,623

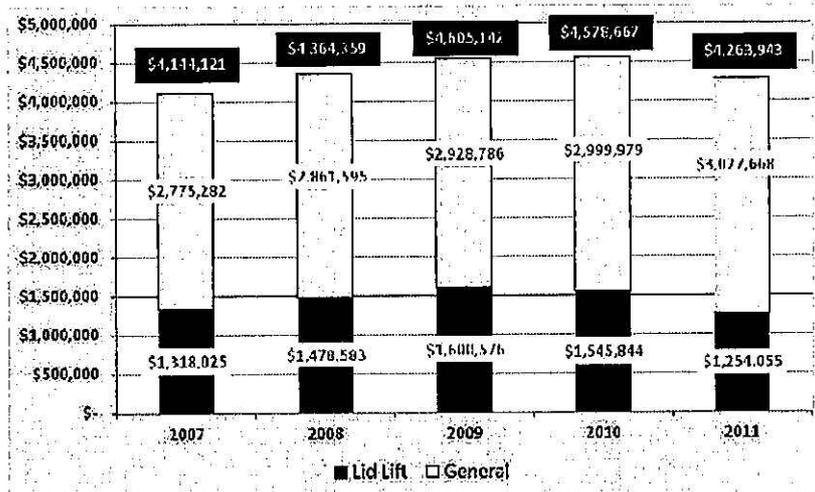
Source	Actual	Amd Budget	Variance
Property Tax	\$ 4,281,722	\$ 4,257,287	\$ 24,435
Sales Tax	2,238,933	2,188,670	50,263
B&O Tax	574,153	615,000	(40,847)
Utility Taxes	3,215,572	3,211,100	4,472
Leasehold Tax	106,151	104,000	2,151
Gambling Tax	31,197	15,000	16,197
Parking Tax	18,895	15,600	3,295
Total	\$ 10,466,623	\$ 10,406,657	\$ 59,966

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2011 Year End Financial Report

2007 - 2011 Revenues – Property Taxes



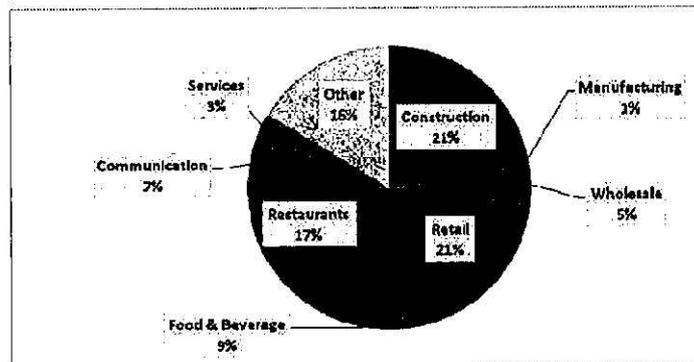
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2011 Year End Financial Report

2011 Revenues – Sales Taxes

Item	Actual	Amd Budget	% Bgt
Sales Taxes - Base	\$ 1,529,800	\$ 1,515,000	101.0%
Sales Taxes - One-Time	114,543	108,170	105.9%
Criminal Justice Sales Taxes	594,590	565,500	105.1%
Total Sales Taxes	\$ 2,238,933	\$ 2,188,670	102.3%

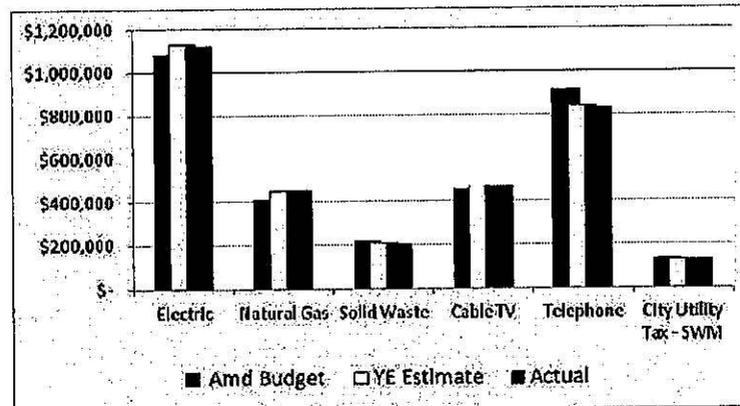


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2011 Year End Financial Report

2011 Revenues – Utility Taxes

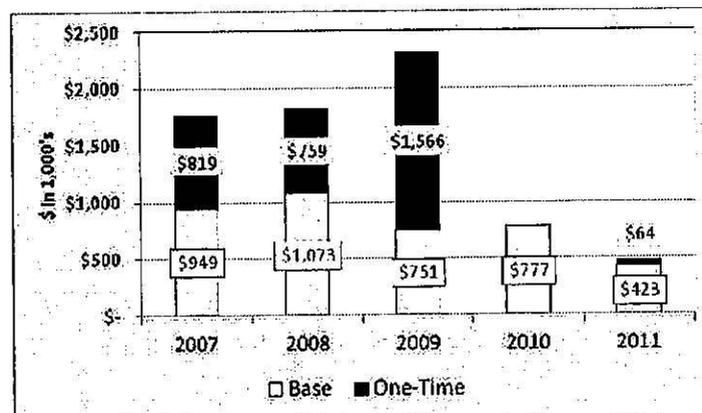


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2011 Year End Financial Report

General & Street Funds:
2007 - 2011 Revenues –Permits/Plan Review/Zoning

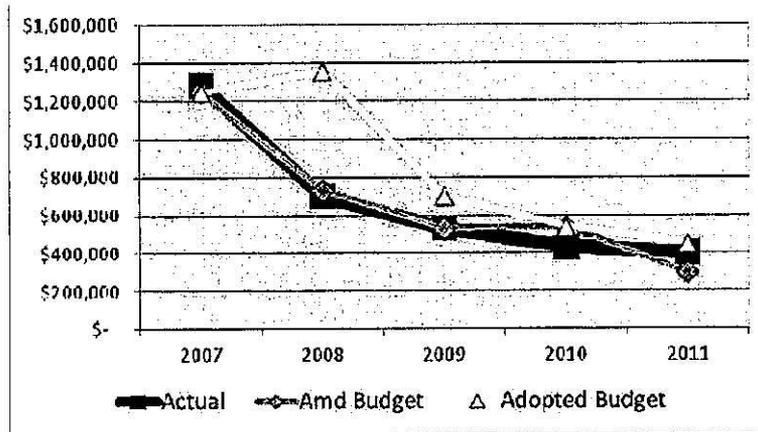


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2011 Year End Financial Report

2007 - 2011 Revenues – Real Estate Excise Taxes



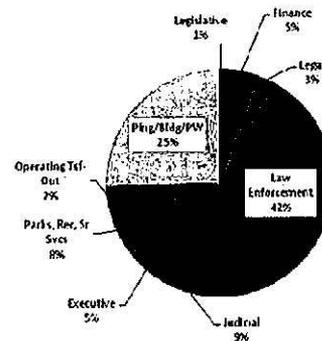
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2011 Year End Financial Report

General, Street & Levy Lid Lift Funds:
2011 Expenditures – \$18,067,497

Department	Actual	% Amd Bgt	% YE Est
Legislative	\$ 117,897	81.5%	90.4%
Executive	979,723	104.9%	108.7%
Judicial	1,585,730	97.8%	99.0%
Finance	896,893	96.8%	99.0%
Legal	470,390	99.1%	99.9%
Law Enforcement	7,518,429	93.9%	98.2%
Plan/Building/PW	4,582,892	93.1%	94.4%
Parks, Rec, Sr Svcs	1,524,207	94.6%	101.0%
Operating Tsf-Out	391,336	100.0%	107.3%
Total	\$ 18,067,497	95.0%	98.2%



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2011 Year End Financial Report

Other Funds:
Revenues, Expenditures, & Fund Balances

Fund	Begin			Ending Fund Bal
	Fund Bal	Revenues	Expenditures	
Drug Seizure	\$ 18,938	\$ 603	\$ 3,733	\$ 15,808
Hotel-Motel Tax	4,724	16,471	16,473	4,722
Trans Benefit District	6,600	405,534	368,365	43,769

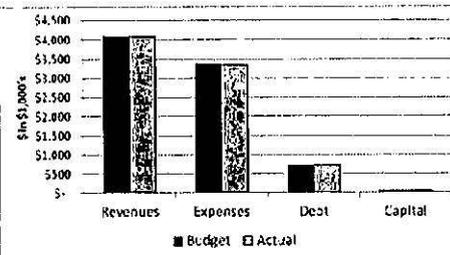
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2011 Year End Financial Report

Marina Operating Fund:
Revenues, Expenses, & Fund Balances

Item	Actual	% Amd Bgt
Begin Fund Bal	\$ 1,481,302	100.0%
Revenues	4,083,998	100.0%
Expenses	3,337,654	99.2%
Net Operating Income	\$ 746,344	103.8%
Transfers-out/Debt Service	722,910	100.0%
Transfers-out/Capital	-	N/A
Capital Outlay	46,976	88.6%
Ending Fund Bal	\$ 1,457,760	102.4%
Reserve for Debt Svc	793,816	100.0%
Unrevd Ending Fund Bal	\$ 663,944	105.3%



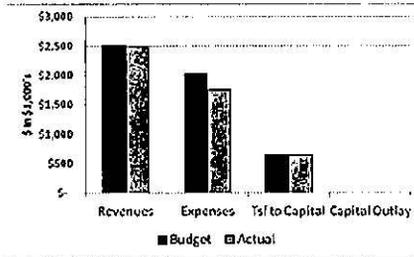
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2011 Year End Financial Report

Surface Water Management Utility Operating Fund:
Revenues, Expenses, & Fund Balances

Item	Actual	% Amd Bgt
Begin Fund Bal	\$ 1,199,891	100.0%
Revenues	2,487,420	98.6%
Expenses	1,757,358	86.4%
Net Operating Income	\$ 730,062	149.3%
Transfers-out/Capital	638,530	100.0%
Capital Outlay	-	N/A
Ending Fund Bal	\$ 1,291,423	123.0%

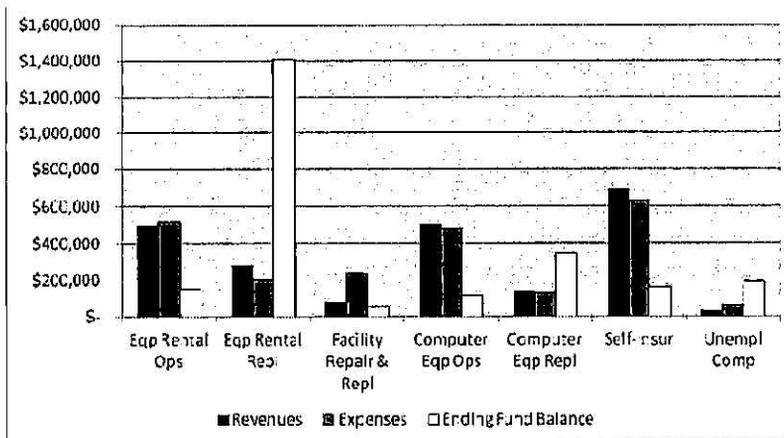


ATTACHMENT 1

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2011 Year End Financial Report

Internal Service Funds:
Revenues, Expenses, & Fund Balances



ATTACHMENT 1

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2011 Year End Financial Report

Citywide Investments:

- Total YE invested Balance - \$8,462,106
- Investments:
 - State Investment Pool - \$5,458,082
 - Federal Agencies - \$2,000,000
 - US Treasury Bond - \$1,000,000
 - Money Market Savings - \$4,024

ATTACHMENT 1

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2011 Year End Financial Report

Citywide Interest Earned:

Item	2011	2010	2009	2008	2007
Total Investment Interest	\$ 67,081	\$ 118,580	\$ 241,807	\$ 438,586	\$ 791,650
Total Budget	\$ 90,782	\$ 172,950	\$ 285,613	\$ 669,286	\$ 651,162
% BGT	73.9%	68.8%	84.7%	65.5%	121.6%
Average Invested Balances	\$ 9,975,896	\$ 12,855,311	\$ 17,877,034	\$ 12,654,856	\$ 15,024,449
Average Yield	0.67%	0.92%	1.35%	3.47%	5.27%
Federal Funds Rate	0% - 0.25%	0% - 0.25%	0.25%	4.25% - 0.25%	5.25% - 4.25%

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2011 Year End Financial Report

Debt Outstanding:

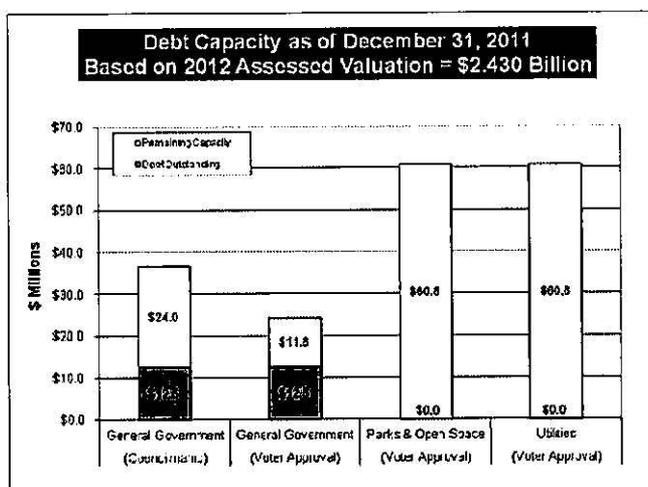
- General Obligation Bonds – Total: \$11,555,000
 - 2002 Marina - \$2,795,000
 - 2008 Marina - \$5,855,000
 - 2008 Transportation - \$2,260,000
 - 2008 Refunding (1997 GO) - \$645,000
- Public Works Trust Fund Loans – Total: \$848,706
 - Pacific Highway Construction - \$307,039
 - DM Gateway Design - \$541,667 (\$1 million total authorization)
- WA ST COPs – Total: \$106,138
 - Energy Efficiency Upgrades

ATTACHMENT 1

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2011 Year End Financial Report

Debt Capacity:



ATTACHMENT 1

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2011 Year End Financial Report

Fund Balances (Budgetary Basis)
December 31, 2011

	General, Street & Levy Lid Lift Funds	Other Operating Funds	Reserve Funds	Capital Funds	Total
Cash & Investments	\$ 1,757,220	\$ 3,329,599	\$ 2,202,679	\$ 3,271,752	\$ 10,561,251
Receivables	1,531,606	313,072	31,658	37,578	1,913,914
Interfund Loan Receivable	-	-	405,000	-	405,000
Due from Other Governments	222,885	19,057	4,249	701,498	947,689
Other Assets	-	88,163	-	-	88,163
Total Assets	\$ 3,511,711	\$ 3,749,891	\$ 2,643,586	\$ 4,010,828	\$ 13,916,017
Accounts Payable	\$ 618,445	\$ 222,632	\$ 56,103	\$ 190,099	\$ 1,087,279
Due to Other Governments	5,893	70	-	-	5,963
Interfund Loan Payable	-	-	-	405,000	405,000
Payroll Payable	441,975	86,268	-	-	528,243
Other Payables	143,251	29,236	5,000	294,734	472,221
Bond & Customer Deposits	108,223	155,361	-	-	263,584
Deferred Revenues	626,598	220,978	28,284	1,151	877,012
Total Liabilities	\$ 1,944,385	\$ 714,545	\$ 89,387	\$ 890,984	\$ 3,639,302
Fund Balances	\$ 1,567,326	\$ 3,035,346	\$ 2,554,199	\$ 3,119,844	\$ 10,276,715

ATTACHMENT 1

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June YTD Revenue Comparison

General, Street & Levy Lid Lift Funds:	June 2012 YTD			June 2011 YTD Variance	
	Actual	Adopted Bgt	% Bgt	\$ Chg	% Chg
Revenues					
Taxes	\$ 5,181,614	\$ 10,334,298	50.1%	\$ (423,738)	-7.6%
Licenses & Permits	807,283	1,992,287	40.5%	210,263	35.2%
Intergovernmental	1,102,256	1,981,728	55.6%	77,072	7.5%
Charges for Services	372,605	958,480	38.9%	81,128	27.8%
Fines & Forfeits	326,303	680,890	47.9%	205,382	169.8%
Culture & Recreation	462,384	1,050,445	44.0%	53,835	13.2%
Interfund	494,293	1,201,612	41.1%	(58,832)	-10.6%
Miscellaneous	75,489	87,750	86.0%	1,084	1.5%
Sale of Capital Assets	-	-	N/A	(180,000)	-100.0%
Operating Transfers	-	83,393	0.0%	-	N/A
TOTAL REVENUES	\$ 8,822,227	\$ 18,370,883	48.0%	\$ (33,806)	-0.4%

ATTACHMENT 1

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June YTD Expenditure Comparison

General, Street & Levy Lid Lift Funds:	June 2012 YTD			June 2011 YTD Variance	
	Actual	Adopted Bgt	% Bgt	\$ Chg	% Chg
Expenditures					
Legislative	\$ 82,353	\$ 176,086	46.8%	\$ (2,123)	-2.5%
Judicial	797,950	1,254,208	63.6%	66,238	9.1%
Executive	528,606	1,030,979	51.3%	83,960	18.9%
Finance	478,819	954,310	50.2%	19,068	4.1%
Legal	287,448	519,944	55.3%	38,183	15.3%
Police	3,654,634	7,724,597	47.3%	(215,378)	-5.6%
Planning/Bldg/PW	2,187,189	4,390,627	49.8%	(47,674)	-2.1%
Parks, Rec, Sr. Services	766,654	1,689,318	45.4%	(28,869)	-3.6%
Operating Transfers	106,946	341,989	31.3%	106,946	N/A
TOTAL EXPENDITURES	\$ 8,890,599	\$ 18,082,058	49.2%	\$ 20,351	0.2%

ATTACHMENT 1

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June YTD Fund Balance Comparison

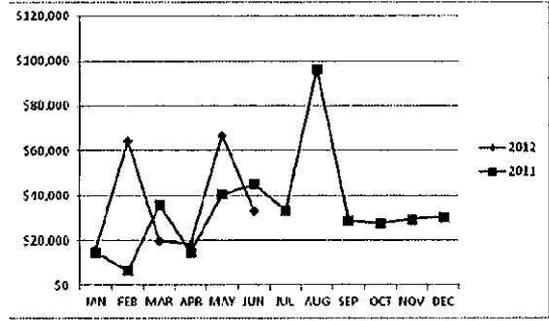
General, Street & Levy Lid Lift Funds:	June 2012 YTD			June 2011 YTD		
	Actual	Adopted Bgt	% Bgt	Actual	Adopted Bgt	% Bgt
Fund Balance						
Beginning Fund Balance	\$ 1,567,326	\$ 1,955,563	80.1%	\$ 2,275,838	\$ 2,523,974	90.2%
Less Prior Year Revenue Accruals	(766,086)	-	N/A	(833,966)	-	N/A
Adjusted Beginning Fund Balance	801,240	1,955,563	41.0%	1,441,872	2,523,974	57.1%
Revenues	8,822,227	18,370,883	48.0%	8,856,033	18,687,830	47.4%
Expenditures	(8,890,599)	(18,082,058)	49.2%	(8,870,248)	(18,451,978)	48.1%
Ending Fund Balance	732,868	2,244,388	32.7%	1,427,657	2,759,826	51.7%
Reserve for Revenue Stabilization Acct	805,175	805,175	100.0%	805,175	805,175	100.0%
UNRESERVED ENDING FUND BALANCE	\$ (72,307)	\$ 1,439,213	-5.0%	\$ 622,482	\$ 1,954,651	31.8%
General Fund	\$ 194,485	\$ 2,077,997	9.4%	\$ 640,920	\$ 2,339,769	27.4%
Street Fund	239,926	166,391	144.2%	334,445	135,333	247.1%
Levy Lid Lift Fund	298,457	-	N/A	452,292	284,724	158.9%
Total Ending Fund Balance	\$ 732,868	\$ 2,244,388	32.7%	\$ 1,427,657	\$ 2,759,826	51.7%

ATTACHMENT 1

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June YTD Real Estate Excise Tax

Month	2012	2011
JAN	\$ 16,140	\$ 14,732
FEB	64,291	6,485
MAR	19,783	35,743
APR	18,572	14,740
MAY	67,031	40,447
JUN	33,166	44,975
JUL		33,439
AUG		96,330
SEP		28,848
OCT		27,778
NOV		29,383
DEC		30,543
Totals	\$ 218,983	\$ 403,443



Budget	\$ 500,000	\$ 450,000
% Bgt	43.8%	89.7%

ATTACHMENT 1

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A G E N D A I T E M

BUSINESS OF THE CITY COUNCIL
City of Des Moines, WA

SUBJECT: B&O Tax Exemption

ATTACHMENTS:

- 1. Draft Ordinance No 12-063

FOR AGENDA OF: August 30, 2012

DEPT. OF ORIGIN: Economic Development

DATE SUBMITTED: August 22, 2012

CLEARANCES:

- Legal PB
- Finance _____
- Marina _____
- Parks, Recreation & Senior Services _____
- Planning, Building & Public Works _____
- Police _____
- Economic Development MM

APPROVED BY CITY MANAGER
FOR SUBMITTAL: AT

Purpose and Recommendation

The proposed ordinance establishes an exemption to the B&O tax for new businesses that physically locate in the City of Des Moines before December 31, 2015.

Suggested Motion

First Motion: I move to Rule 26(a) to pass Draft Ordinance No 12-063 on the first reading.

Second Motion: I move to enact Draft Ordinance No 12-063 amending DMMC 3.84.100 establishing an exemption to the B&O tax of three years for new businesses that physically locate in the City Des Moines before December 31, 2015.

Background

The B&O tax exemption is an incentive to encourage new businesses to locate in the City of Des Moines. Des Moines currently charges the maximum B&O tax allowed by State statute of .2% (\$2 for every thousand dollars of revenue) on the gross revenues of companies with business activity in the City (even if they are not physically located within the City). The tax is applied to businesses with gross revenues over \$50,000.

Currently most cities in southwest King county are not charging a B&O tax. Of the cities surrounding Des Moines, the cities of Kent, SeaTac, Federal Way, Tukwila, and Normandy Park do not charge a B&O tax. Burien charges .05% tax on businesses with gross revenues over \$100,000 (\$.50 for every thousand dollars of gross revenue). Seattle charges a .215% B&O tax (.415% for services), which is voter-approved above the statutory limit.

Discussion

Most businesses located in Des Moines are smaller establishments that are paying minimal or no B&O tax. The main sources of B&O tax revenue for the City are the large restaurants, grocery stores, nursery, and (the largest source of all) contractors. Even when a contractor's offices are not located in Des Moines, they pay B&O tax on construction and renovation projects that are done within the City.

Alternatives

Alternatives to the ordinance presented are as follows:

- The tax exemption could be reduced from 100% to 50% or other amounts.
- The tax exemption period could be adjusted to a shorter or longer time frame (one, two or five years for example).
- The exemption window (as written in the ordinance to extend from 2012 from 2015) could also be adjusted for a shorter or longer duration.

Financial Impact

The vast majority of new businesses established in the last few years in the City do not generate a substantial amount of B&O tax revenue. It is estimated that the businesses that have been established in the last three years (since 2009) are generating less than \$5,000 annually in total.

It is estimated that a large new hotel project would generate approximately \$23,000 in B&O tax annually. (Assumptions: 228 rooms at \$200 per night x 365 days, at 70% occupancy = \$11.6 million revenues at .2% = \$23,000 B&O tax annually).

A box retailer that generates \$50 million in annual sales would create \$100,000 in B&O tax for the City.

Recommendation or Conclusion

Offering incentives for newly established businesses communicates that the City welcomes new ventures that produce jobs and improve the developed environment and property values for Des Moines residents. Simply stating that the City is business friendly does not have as much impact and substance as a gesture that offers financial support to prospective businesses.

Economic development staff recommends adopting the ordinance as written.

ECONOMIC DEVELOPMENT'S FIRST DRAFT 7/31/2012

DRAFT ORDINANCE NO. 12-063

AN ORDINANCE OF THE CITY OF DES MOINES, WASHINGTON, relating to the City's Business and Occupation Tax and adding a new subsection to DMMC 3.84.100 establishing a tax exemption for new businesses as an incentive for a period of three (3) years or twelve (12) consecutive quarters for new businesses through December 31, 2015.

WHEREAS, Washington Constitution, Article XI, section 12; RCW 35A.11.020 and 35A.82.020; and chapter 3.84 DMMC authorize cities to levy and collect a Business and Occupation Tax on the gross income of those engaging in business within the City as defined in DMMC 3.84.030(13), and

WHEREAS, encouraging new business is of economic benefit to the City in providing added employment opportunities for residents and increased tax revenues to support municipal services, and

WHEREAS, the Council Finance and Economic Development Committee has recommend that a Business and Occupation Tax exemption should be established as an incentive for new businesses licensed before December 31, 2015 within the City of Des Moines, now therefore,

THE CITY COUNCIL OF THE CITY OF DES MOINES ORDAINS AS FOLLOWS:

Sec. 1. A new subsection is added to DMMC 3.84.100 DMMC to read as follows:

New business exemption established. An exemption to the Business and Occupation Tax is hereby established for businesses applying for their initial business license, with their principal place of business in the City between October 1, 2012 and December 31, 2015. Said new businesses shall receive an exemption for the total Business and Occupation tax due at each filing, for a period of three (3) years or twelve (12) consecutive quarters from said business' date of inception. The quarter within which the business license is granted shall be counted as the first quarter.

Sec. 2. Codification. Section 1 of this Ordinance shall be codified as a new subsection in DMMC 3.84.100 entitled *New business exemption*.

Sec. 3. Severability - Construction.

(1) If a section, subsection, paragraph, sentence, clause, or phrase of this Ordinance is declared unconstitutional or invalid for any reason by any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance.

(2) If the provisions of this Ordinance are found to be inconsistent with other provisions of the Des Moines Municipal Code, this Ordinance is deemed to control.

Sec. 4. Effective date. This Ordinance shall take effect and be in full force thirty (30) days after its passage, approval, and publication in accordance with law.

PASSED BY the City Council of the City of Des Moines this _____ day of _____, 2012 and signed in authentication thereof this _____ day of _____, 2012.

M A Y O R

APPROVED AS TO FORM:

City Attorney

ATTEST:

City Clerk

Published:

Effective Date:

Des Moines City Council 2012 Goals
1. Protect People and Property - Department Support Actions

Rank	Supporting Actions	Total Level of Resources			Councilmember Rankings							Ave.	
		\$	FTE	Revenue/O ther	1	2	3	4	5	6	7		
1	Respond to 911 calls for service	1,050,000	6.05		10	10	7	10	10			9.40	PD
2	Prosecution of Criminal, Criminal Traffic Citations	85,507	0.8		10	8	9	10	10			9.40	Legal
3	Utilize criminal intelligence information to proactively address gang and homeland security concerns.	50,000	0.35		9	8		10	10			9.25	PD
4	Coordinate PD activities within our department and other agencies or departments.	84,000	0.65		9	8		10	10			9.25	PD
5	Provide appropriate planning and training to PD personnel and community.	21,000	0.15		7	10		10	10			9.25	PD
8	Code Enforcement, Civil Violations: Abatement; Prosecute Misdemeanors and Civil Infractions in Municipal Court; Courtroom/Hearing Training for Police Department, Staff Witnesses, etc.; Commence, Negotiate and Settle Civil Violation Procedures per DMMC 1.28; Bring Abatement Proceedings as Necessary	1,244	X		10	9	5	10	10			8.80	Legal
9	Research, develop and maintain PD policy and procedures and ensure compliance with all laws.	66,500	0.5		7	8		10	10			8.75	PD
10	Develop strategies to prevent, combat and reduce crime.	42,000	0.3		8	7		10	10			8.75	PD
11	Review current and prepare new city ordinances impacting public safety.	7,000	0.05		6	8		10	10			8.50	PD
12	Implement Emergency Management Plan				10	8	7	9				8.50	PBPW
13	Conduct preventive patrol activity to deter crime and provide a visible law enforcement presence in our community.	373,000	2.1		10	9	3	10	10			8.40	PD
14	Provide community policing services to prevent or resolve criminal activity in our community.	119,000	0.8		10	8	3	10	10			8.20	PD
15	Process and adjudicate all criminal and non-criminal cases	364,317	4.75		10	10	1	10	10			8.20	Court
16	Prosecution of Non-Criminal Traffic and Non-Traffic Violations; defend RALJ Appeals in Superior Court	26,721	0.25		8	9	3.5	10	10			8.10	Legal
17	Lead and manage PD personnel and activities.	167,000	1.15		8	9	3	10	10			8.00	PD
18	Oversee and manage operating budgets	14,363	0.075		10	8	1	10	10			7.80	Exec
19	Oversee and manage capital budgets	14,363	0.075		10	8	1	10	10			7.80	Exec
20	Resolve community disputes to avoid hostile confrontations between citizens.	383,000	2.2		8	9	2	10	10			7.80	PD

21	Process and adjudicate all photo enforcement tickets Woodmont & Midway	46,019	0.06	10	7	2	10	10	7.80	Court
22	Process and adjudicate all infractions	186,377	2.43	8	9	2	10	10	7.80	Court
23	Provide investigative and expert witness testimony in criminal and traffic related proceedings.	79,000	0.55	8	9	2	9	10	7.60	PD
24	Provide patrol & traffic related community policing services to prevent or resolve issues within the community.	207,000	1.2	8	9	3	8	10	7.60	PD
25	Maintain School Resource Officer Functions.	124,000	0.85	9	7	2	10	10	7.60	PD
26	Transport inmates from outlying jails and SCORE	64,779	0.06	8	9	1	10	10	7.60	Court
27	Prepare the daily jail bookings of inmates	32,213	0.042	8	9	1	10	10	7.60	Court
28	Employee Records - Personnel and medical files, Safety Incident Documentation & Review; L&I Administration, CDL Alcohol & Drug Testing, etc.	39,541	0.38	9	9	2	8	10	7.60	Personnel
29	Conduct and assist with traffic collision investigations.	18,000	0.1	4	9		7	10	7.50	PD
30	Respond to and investigate non-criminal incidents and associated support services.	463,500	3.05	7	9	4		10	7.50	PD
31	Prosecutor Administrative Costs	13,491		7		3	10	10	7.50	Legal
32	Provide general management and oversight of all public safety traffic activities	14,363	0.075	8	8	1	10	10	7.40	Exec
33	Provide and coordinate City Council support	19,353	0.125	10	8	1	10	8	7.40	Exec
34	Enforce traffic laws to reduce traffic accidents/educate the public to reduce injuries/fatalities and associated support service functions.	410,000	2.6	8	8	3	8	10	7.40	PD
35	Maintain and staff the only public access 24 hour facility within the city.	154,000	1.1	5	8		6	10	7.25	PD
36	Issue animal licenses.	14,000	0.1	9	9	1	7	10	7.20	PD
37	Finalize and implement Emergency Management Plan.	12,300	0.1	10	6	2	8	10	7.20	PD
38	Maintain security in the courtroom and the court lobby	64,779	0.06	8	7	1	10	10	7.20	Court
39	Develop and implement a process to deal with nuisance properties.	24,500	0.2	8	7	3	7	10	7.00	PD
40	Prevent and eliminate unsafe and unhealthy living conditions.	14,000	0.1	8	7	3	7	10	7.00	PD
41	Ensure safe construction through plan review, permitting & inspections	602,000	6	100,000	8	9	2	9	7.00	PBPV
42	Coordinate Mandatory Training	4,529	0.02	8	8	1	8	10	7.00	Personnel
43	Business License Administration	17,273	0.22	8	8	1	8	10	7.00	Records
44	Removal of dead animals and capture and treatment of injured animals.			7	8	1	8	10	6.80	PD
45	Drug Forfeitures: Prepare Notices for Hearings, Witness and Exhibit Lists, Subpoenas and Findings, Conclusions and Orders in Asset Forfeiture Actions;	X	X	5	6	3	10	10	6.80	Legal
46	Identify and remedy traffic hazards.	59,000	0.35	4	9	3	7	10	6.60	PD

47	Personnel Manual Maintenance	2,373	0.01		7	7	1	8	10		6.60	Personnel
48	Solicitors License Administration	785	0.01		8	8	1	8	8		6.60	Records
49	Conduct traffic education programs.				5	7		4	10		6.50	PD
50	Identify and correct unsafe and unhealthy living conditions	22,000	0.2		8	7	2	9			6.50	PBPW
51	Provide safe, supervised, healthy and character building recreation programs to protect Des Moines' most vulnerable populations; it's children (3,650 participants in youth programs and camps) and it's senior citizens	478,788	9.50	478,765	3	6	3	10	10		6.40	Parks
52	Coordinate Special Event Applications	1,570	0.02		8	8	1	8	6		6.20	Records
53	Provide safe and healthy recreation programs and facility conditions that conform to ADA access regulations	5,975	0.03		5	7	1	9	8		6.00	Parks
54	Conduct animal control related classes to reduce animal control related violations and conduct State of Washington Animal Control Academy.	18,000	0.15		6	8	1	4	10		5.80	PD
55	Reduce traffic collisions and injuries	7,000			4	7	1	9			5.25	PBPW
56	Implement emergency Management Plan; community cooling or warming sites	4,975	0.03		5	6	1	4	10		5.20	Parks
57	Provide animal and water safety related instructional programs (117 participants)	9,532	0.20	9,957	8	6	1	2	4		4.20	Parks

Des Moines City Council 2012 Goals
2. Improve Economic Stability and Vitality - Department Support Actions

Rank	Supporting Actions	Total Level of Resources			Councilmember Rankings								Ave.	
		\$	FTE	Revenue/O ther	1	2	3	4	5	6	7			
1	Conduct preventive patrol activity to deter crime which promotes city development.	49,000	0.3		10	8	3	10	10				8.20	PD
2	Develop strategies to prevent and reduce crime to promote city development.	14,000	0.1		4	8		10	10				8.00	PD
3	Redevelop Pacific Ridge and Midway	32,000	0.3		10	7	4	10					7.75	PBPW
4	Develop the Des Moines Creek Business Park	72,000	0.5	7000 SWM	9	7	4.5	10					7.625	PBPW
5	Recruit Companies and Investors <ul style="list-style-type: none"> • Marina District – Hospitality, Entertainment, Office and Retail Sectors • Business Park – Retail, Light Industrial, Office Sectors • Pacific Ridge – Large-scale Office, Hospitality and Highway Commercial 	13,593	0.1		10	9	1	10	8				7.60	Econ Dev
6	• Review, permit and inspect buildings and improvements	\$73K	0.6		9	9	2.5	10					7.625	PBPW
7	• Redevelop Marina District & Beach Park	\$47K	0.4	\$5K - SWM	7	7	3.5	7					6.125	PBPW
8	Promote the City and improve the City's image			5000 SWM	5	6	8	10					7.25	PBPW
9	Implement the Economic Development Plan including: Promote the City <ul style="list-style-type: none"> • Develop and implement marketing strategy, branding & identity process as indicated • Create promotional materials • Promote the City image through public presentations and all variety of marketing media, including journals, broadcast publications, etc. • Assist in the development of new City website, signage and way finding program 	20,389	0.15		10	8	1	9	8				7.20	Econ Dev
10	Provide community policing services to prevent or resolve criminal activity which encourages city development.	56,000	0.35		8	7	3	8	10				7.20	PD
11	Improve plans, codes, regulations, permitting processes, demographic information	121,000	0.9		9	9	2.5	8					7.125	PBPW

12	Permit land divisions, alterations, use conditions and review business licenses	52,000	0.4		8	9	2.5	9				7.125	PBPW
13	Prevent and eliminate unsafe and unhealthy living conditions.	19,300	0.15		7	7	3	8	10			7.00	PD
14	Provide general management and oversight of programs and activities aimed at improving economic stability, vitality, and development, including: <ul style="list-style-type: none"> • Implement the Economic Development Strategy • Improve plans, codes, regs, permitting processes • Keep development fees competitive • Redevelop Marina District & Beach Park • Bring more commercial activity to the Marina • Develop the Des Moines Creek Business Park • Redevelop Pacific Ridge and Midway • Promote the City and improve the City's image 	43,757	0.25		10	7	1	10	6			6.80	Exec
15	Provide Quality Employment - Non-mandatory training, Shared Leave, Flex Schedules, etc.	8,230	0.05		4	8	1	8	10			6.20	Personnel
16	Coordinate Special Event Applications	1,571	0.02		8	8	1	8	6			6.20	Records
17	Promote and improve City's image through quality recreation programs, sports, and special events (57,890 participants)	96,692	1.235	93,723	7	6	2	10	6			6.20	Parks
18	Provide local jobs and job training and collaborations with Highline Community College internships in fee support programs serving local residents	69,453	0.75	125,385	5	6	3	10	6			6.00	Parks
19	Support Arts Commission to provide quality performing and visual arts/events (200-700 attendees per 9 summer events)	45,846	0.125	20,000	7	6	3	6	6			5.60	Parks
20	Market Des Moines as an event and tourism destination to maximize use of the City's indoor and outdoor rental facilities (2011-188 resident rentals, 30 non-resident rentals, 318 ballfield rentals = 126,313 attendees)	119,632	1.655	62,605	3	6	3	10				5.50	Parks
21	Implement Marina/Beach Park Redevelopment Plan in 2012	7,689	0.075		3	6	1	8	8			5.20	Parks
22	Rehabilitate Beach Park Historic facilities to comply with Secretary of Interior Standards	16,584	0.1		5	5	2	6	8			5.20	Parks

Des Moines City Council 2012 Goals
3. Maintain the City's Infrastructure - Department Support Actions

Rank	Supporting Actions	Total Level of Resources			Councilmember Rankings							Ave		
		\$	FTE	Revenue/O ther	1	2	3	4	5	6	7			
1	Provide adequate, well maintained and safe transportation (100 centerline miles), trails (2.75 miles), planters/medians (4.25 miles), surface water systems (80 miles of pipe, 20 miles of ditches, 63 detention & treatment facilities, 3500 catch basins) and parks (27 on 92 acres) facilities	1,170,000	9.1	515,000 SWM	10	8	7	9					8.5	PBPW
2	Maintain the public's investments through management, maintenance and reinvestment, e.g., overlays, sign & signal maintenance, bridge inspections	664,000	5	167,000 SWM	10	9	3	9					7.75	PBPW
3	Provide safe and maintained recreation facilities for public use	664,000	0.15		10	7	2	9	10				7.60	Parks
4	Increase level of grants and outside funding	12,098	0.15		10	8	2	10	8				7.60	Parks
5	Provide general management and oversight of all infrastructure maintenance activities	16,858	0.1		9	8	1	8	10				7.20	Exec
6	Analyze spending so as to minimize life cycle costs	85,000	0.8	55,000 SWM	10	7	2	9					7.00	PBPW
7	Provide safe public facilities.	68,000	0.4		5	8	2	10	10				7.00	PD
8	Maintain the public's investments in parks and recreation and	41,460	0.25		10	6	2	9	8				7.00	Parks
9	Provide general management and oversight of preparation, modification, and implementation of all comprehensive plans, capital plans, and development standards	11,838	0.075		8	7	1	8	10				6.80	Exec
10	Monitor, maintain and increase level of grants and other outside funding	14,000	0.1		2	8	2	8	10				6.00	PD
11	Bid Openings - Facilitate openings and administer contract documentation	1,048	0.01		3	8	1	8	8				5.60	

Des Moines City Council 2012 Goals
4. Enhance the City's Infrastructure - Department Support Actions

Rank	Supporting Actions	Total Level of Resources			Councilmember Rankings							Ave		
		\$	FTE	Revenue/O ther	1	2	3	4	5	6	7			
1	Provide general management and oversight of: • Negotiations for private development improvements • Increase level of grants and outside funding • Infrastructure construction • Collaboration on inter-jurisdictional infrastructure planning	5,020	0.025		8	9		8	8				8.25	Exec
2	Manage infrastructure construction	145,000	1.3	\$90K - SWM	10	8	2	9					7.25	PBPW
3	Increase level of grants and outside funding	25,000	0.3	\$10K - SWM	8	8	3	9					7	PBPW
4	Approve private development improvements	86,000	0.7	\$50K - SWM	9	8	2	8					6.75	PBPW
5	Collaborate on inter-jurisdictional infrastructure planning	25,000	0.2	\$10K- SWM	9	8	2	8					6.75	PBPW
6	Participate in infrastructure planning and encourage development to promote economic vitality	6,796	0.05		6	7	1	10	8				6.40	Econ Dev
7	Maintain comprehensive plans, codes, development standards & improvement plans	86,000	0.7	\$15K - SWM	7	6	3	8					6	PBPW
8	Long range planning and management of parks and recreation and historic facilities capital improvements	41,460	0.25		8	6	1	7	6				5.60	Parks

Des Moines City Council 2012 Goals

5. Provide Efficient and Effective City Services - Department Support Actions

Rank	Supporting Actions	Total Level of Resources			Councilmember Rankings							Ave		
		\$	FTE	Revenue/O ther	1	2	3	4	5	6	7			
1	<ul style="list-style-type: none"> Litigation: Review and Properly Respond to all Litigation; Transmit Claims and Tender Defense to WCIA; Monitor Cases, Cooperate with WCIA & Participate as Co-Counsel, if Appropriate; Recommend Commencement of Litigation by City When Necessary and/or Appropriate; Recommend Additional or Conflict Counsel; LUPA Appeals 	85,507	0.80		10	9	6	10	10				9.00	Legal
2	<ul style="list-style-type: none"> Public Records: Review Requests for Public Records Referred to Legal Department; Prepare Necessary Exemption Logs; Ensure Completeness of Response 	26,721	0.25		10	9	6	10	10				9.00	Legal
3	<ul style="list-style-type: none"> Contracts: Review, modify and Update Existing Standard Forms and Agreements; Meet Regularly with Staff to Assure Proper Use and Implementation of Standard Forms and Agreements; Negotiate, Prepare and/or Review Contracts; Negotiate, Prepare and/or review Interlocal Agreements; Negotiate, Prepare and/or Review Memorandum of Understanding; Review and Advise Staff Re: Public Works Projects, Bidding, and Contract Performance Issues 	42,754	0.40		9	9	6	10	10				8.80	Legal
4	IT Computer Hardware & Software		1.25	161,903	10	9	4	10	10				8.60	Finance
5	<ul style="list-style-type: none"> Administrative: Manage City Attorney's Office; Supervise Legal Staff and Case Management; Prepare, Negotiated and Manage Legal Department Budget 	21,377	0.20		9	8	6	10	10				8.60	Legal
6	<ul style="list-style-type: none"> Legislative: Review and/or Draft Proposed Ordinances and Resolutions 	42,754	0.40		10	9	6	8	10				8.60	Legal
7	IT Management		0.53	76,967	9	9	3	10	10				8.20	Finance

25	Maintain, repair & renewal City buildings (27 buildings w/ 108,000 SF)	280,000	1.2		10	9	2.5	9			7.625	PBPW
26	Human Resources Support	20,804	0.20		8	9	1	10	10		7.60	Finance
27	IT Data Protection		0.05	6,201	8	9	1	10	10		7.60	Finance
28	Maintain, repair & renewal Police City buildings (20,000 SF).	28,000	0.2		8	9	2	9	10		7.60	PD
29	Upgrade information technology and management systems.	28,000	0.2		8	9	2	9	10		7.60	PD
30	Treasury	128,332	0.46		7	9	1	10	10		7.40	Finance
31	Upgrade information technology and management systems	23,000	0.2	18,000 SWM	10	8	3	8			7.25	PBPW
32	Provide general management and oversight of all city departments, functions, and operations	30,524	0.175		8	9	1	8	10		7.20	Exec
33	* Drug Forfeitures; Prepare Notices for Hearings, Witness and Exhibit Lists, Subpoenas and Findings, Conclusions and Orders in Asset Forfeiture Actions; Represent City at Forfeiture Hearings	X	X		5	6	6	9	10		7.20	Legal
34	Partner with others.	78,900	0.6		6	8	4	8	10		7.20	PD
35	Maintain & replace equipment in safe & cost effective condition (141 items)		1.7	98,000 SWM 645,000 EQP	8	9	2.5	9			7.125	PBPW
36	Improve cost effectiveness of City operations.	66,500	0.5		6	8	3	8	10		7.00	PD
37	Provide City Hall phone and walk in reception	55,000	0.5		8	9	1.5	9			6.875	PBPW
38	Respond to citizen inquires and assist in resolving concerns	7,485	0.075		7	9	2	7	8		6.60	Exec
39	Partner with others			5000	4	7	8	7			6.5	PBPW
40	Provide community 24 hour phone and walk in reception.	225,000	1.6		6	8	1	7	10		6.40	PD
41	Review and provide recommended changes to codes and regulations in order to facilitate and encourage development	13,593	0.1		6	10	1	8	6		6.20	Econ Dev
42	Manage the City's Safety Board	2,495	0.025		7	8	1	6	8		6.00	Exec

43	Improve internal support services to strengthen ability of departments to more effectively deliver services	35,000	0.3	8,000 SWM & EQP	6	8	2	8			6	PBPW
44	Deliver more customer-oriented services.	160,400	1.1		5		4	5	10		6.00	PD
45	Partner with City of Normandy Park to provide senior services	5,018	0.05		8	6	1	8	6		5.80	Parks
46	Continue use of the Citizen Action Request system	7,485	0.075		5	8	2		8		5.75	Exec
47	Provide community information, resources, and referrals	27,560	0.27	24,558	7	6	2	8			5.75	Parks
48	Assist customers in applying for permits and licenses	13,593	0.1		3	8	1	8	8		5.60	Econ Dev
49	Partner with Des Moines Legacy Foundation, Rotary Club, Destination Des Moines (co-sponsored events), Mt Rainier Pool, Farmers Market, Scouts, Highline and Federal Way School Districts, Highline Community College to maximize resources	54,750	0.50	38,899	4	6	2	8	8		5.60	Parks
50	Collaborate with Administration to produce and distribute the City Currents/Recreation Guide	33,431	0.35		7	5	1	7	8		5.60	Parks
51	Gather customer and business community feedback, conduct surveys, report and present data, in order to support and ensure the City's competitive regulatory presence	13,593	0.1		5	9	1	8	4		5.40	Econ Dev
52	Deliver accessible customer-oriented services	11,346	0.10		6	6	1	8			5.25	Parks
53	Generate local, regional and national business sponsorship	8,683	0.08		4	5	1	10	6		5.20	Parks
54	Maintain PCC compliant information and technology		0.00		2	6	1				3.00	Parks



CITY COUNCIL
SPEAKER SIGN UP SHEET FOR

PUBLIC HEARING
SEAMAR DEVELOPMENT

August 30, 2012

(DATE)

NAME (PLEASE PRINT)	ADDRESS
✓ Roger Valdez, Sea Mar	9635 Des Moines Mem Blvd 98108