

**AGENDA**

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

**June 27, 2013 - 7:00 p.m.**

**CALL TO ORDER**

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

**CORRESPONDENCE**

**COMMENTS FROM THE PUBLIC**

**BOARD & COMMITTEE REPORTS/COUNCILMEMBER COMMENTS**

**PRESIDING OFFICER'S REPORT**

RECOGNITION OF FORMER COUNCILMEMBER DAN CALDWELL

**ADMINISTRATION REPORT**

**CONSENT CALENDAR**

Page 1      Item 1:      APPROVAL OF VOUCHERS  
Motion is to approve for payment vouchers and payroll transfers included in the attached list and further described as follows:  
Claim checks: \$1,786,454.08  
Payroll fund transfers: \$1,263,709.33  
Total certified Wire Transfers, Voids, A/P & Payroll vouchers: \$3,050,163.41

Page 3      Item 2:      MAYORAL APPOINTMENT TO THE HUMAN SERVICES ADVISORY COMMITTEE  
Motion is to confirm the Mayoral appointment of Patricio H. Mendoza to a two year term on the Human Services Advisory Committee, effective immediately and expiring on December 31, 2014.



Page 115    Item 2:        DRAFT ORDINANCE AND RESOLUTION 13-085 SETTING  
HOURS FOR MARINA PARKING LOT CLOSURES  
Staff Presentation                      Harbormaster Joe Dusenbury

**NEW BUSINESS**

Page 125    Item 1:        DRAFT ORDINANCE 13-104 UPDATING PARKING  
REGULATIONS  
Staff Presentation                      Assistant City Manager Lorri  
Ericson

Page 133    Item 2:        DRAFT ORDINANCE 13-105, INTERNATIONAL  
PROPERTY MAINTENANCE CODE  
Staff Presentation                      Assistant City Manager Lorri  
Ericson

Page 141    Item 3:        PROPOSED 2013 COMPREHENSIVE PLAN  
AMENDMENTS  
Staff Presentation                      Community Development  
Manager Denise Lathrop

**NEXT MEETING DATE**

July 11, 2013 Regular City Council Meeting

**ADJOURNMENT**



**CITY OF DES MOINES**  
**Voucher Certification Approval**

27-Jun-13

**Auditing Officer Certification**

Vouchers and Payroll transfers audited and certified by the auditing officer as required by RCW 42.24.080, and those expense reimbursement claims certified as required by RCW 42.24.090, have been recorded on a listing, which has been made available to the City Council.

As of June 27, 2013 the Des Moines City Council, by unanimous vote, does approve for payment those vouchers and payroll transfers included in the attached list and further described as follows:

The vouchers below have been reviewed and certified by individual departments and the City of Des Moines Auditing Officer.

| <b>Claims Vouchers:</b>                             |   | <b>Numbers</b>                                     |   |        | <b>Amounts</b> |                     |
|---|---|--|---|--------|----------------|---------------------|
| Total A/P Checks/Vouchers                           |   | 136065   | - | 136460 | 396            | 1,722,764.48        |
| Electronic Wire Transfers                           | 6 | DEPT OF REV, BOA VISA, BANK OF NY, MERITAIN HEALTH |   |        |                | 322,029.80          |
| <b>Subtotal for this Council Packet</b>             |   |  |   |        |                | <b>2,044,794.28</b> |
| Voided Claim Checks this check run:                 |   | 136197, 136261 AND 136335-136397                   |   | 65     |                | (258,221.20)        |
| Voided Claim Checks from <b>previous</b> check runs |   | 135887   |   | 1      |                | (119.00)            |
| <b>Total Claims/Wire Transfers/Voids</b>            |   |  |   |        | <b>468</b>     | <b>1,786,454.08</b> |

| <b>Payroll Vouchers:</b>  |  | <b>DISBURSED 05/20/13</b> |   |        | <b>Amounts</b> |     |                   |
|---------------------------|--|---------------------------|---|--------|----------------|-----|-------------------|
| Payroll Checks            |  | 18180                     | - | 18193  | =              | 14  | 29,630.60         |
| Direct Deposit            |  | 200001                    | - | 200133 | =              | 133 | 259,229.00        |
| Payroll Taxes             |  |                           |   |        |                |     | 63,212.18         |
| Wage/Garnishments         |  |                           |   |        |                |     | 744.07            |
| Voids                     |  |                           |   |        |                | 0   | 0.00              |
| Electronic Wire Transfers |  |                           |   |        |                |     | 85,088.15         |
| ICMA 401 Forfeitures      |  |                           |   |        |                |     | 0.00              |
| <b>Total Claims</b>       |  |                           |   |        |                |     | <b>437,904.00</b> |

| <b>Payroll Vouchers:</b>  |  | <b>DISBURSED 06/05/13</b> |   |        | <b>Amounts</b> |     |                   |
|---------------------------|--|---------------------------|---|--------|----------------|-----|-------------------|
| Payroll Checks            |  | 18194                     | - | 18206  | =              | 13  | 13,633.07         |
| Direct Deposit            |  | 230001                    | - | 230139 | =              | 139 | 260,891.93        |
| Payroll Taxes             |  |                           |   |        |                |     | 56,383.86         |
| Wage/Garnishments         |  |                           |   |        |                |     | 744.07            |
| Voids                     |  |                           |   |        |                | 0   | 0.00              |
| Electronic Wire Transfers |  |                           |   |        |                |     | 83,984.96         |
| ICMA 401 Forfeitures      |  |                           |   |        |                |     | 0.00              |
| <b>Total Claims</b>       |  |                           |   |        |                |     | <b>415,637.89</b> |

| <b>Payroll Vouchers:</b>   |  | <b>DISBURSED 06/20/13</b> |   |        | <b>Amounts</b> |     |                     |
|--|--|---------------------------|---|--------|----------------|-----|---------------------|
| Payroll Checks   |  | 18207                     | - | 18234  | =              | 28  | 21,049.81           |
| Direct Deposit   |  | 250001                    | - | 250137 | =              | 137 | 251,789.67          |
| Payroll Taxes  |  |                           |   |        |                |     | 55,886.21           |
| Wage/Garnishments  |  |                           |   |        |                |     | 744.07              |
| Voids  |  |                           |   |        |                | 0   | 0.00                |
| Electronic Wire Transfers  |  |                           |   |        |                |     | 80,697.68           |
| ICMA 401 Forfeitures   |  |                           |   |        |                |     | 0.00                |
| <b>Total Claims</b>  |  |                           |   |        |                |     | <b>410,167.44</b>   |
| <b>Total certified Wire Transfers, Voids, A/P &amp; Payroll vouchers for June 27, 2013</b> |  |                           |   |        |                |     | <b>3,050,163.41</b> |



# A G E N D A   I T E M

**SUBJECT:**

Mayoral Appointment to the Human Services Advisory Committee

**ATTACHMENTS:**

Human Services Advisory Committee Application

FOR AGENDA OF: June 27, 2013

DEPT. OF ORIGIN: Parks, Recreation, & Senior Services

DATE SUBMITTED: June 5, 2013

**CLEARANCES:**

Legal 

Finance \_\_\_\_\_

Marina \_\_\_\_\_

Parks, Recreation & Senior Services 

Planning, Building & Public Works \_\_\_\_\_

Police \_\_\_\_\_

Courts \_\_\_\_\_

APPROVED BY THE CITY MANAGER  
FOR SUBMITTAL: 

## Purpose and Recommendation

The purpose of this agenda item is to recommend City Council confirmation of one Mayoral appointment to the City of Des Moines Human Services Advisory Committee.

## Suggested Motion

"I move to confirm the Mayoral appointment of Patricio H. Mendoza to a two year term on the Human Services Advisory Committee, effective immediately and expiring on December 31, 2014.

## Background

The City Council adopted Ordinance No. 1047 establishing the Human Services Advisory Committee in February 1993. The ordinance details the powers, duties, membership, and meeting requirements for the Human Services Advisory Committee. The Committee is chartered with evaluating and recommending annual funding for human services agency requests submitted to the City. The Committee consists of seven members. Two of the members of the Committee need not be residents of the City. The Committee terms are for two years and members may be appointed for up to two terms.

**Discussion**

Patricio H. Mendoza is seeking appointment to the committee to fill one vacancy by a member who resigned. That appointee had a committee term expiration of December 31, 2013.

**Alternatives**

City Council can choose not to appoint the applicant to the Human Services Advisory Committee.

**Financial Impact**

No financial impact.

**Recommendation/Concurrence**

Des Moines Administration and the Des Moines Human Services Advisory Committee recommend the Mayoral appointment of Patricio H. Mendoza to a two year term on the Human Services Advisory Committee.



CITY OF DES MOINES  
APPLICATION FOR APPOINTIVE OFFICE  
21630 11th Avenue South  
Des Moines, WA 98198

RECEIVED  
Recvd. \_\_\_\_\_

MAY 31 2013

CITY OF DES MOINES  
OFFICE OF THE CLERK  
POW

Please Check

NAME: Patricio Mendoza  Civil Service Commission  
ADDRESS: 22311 Marine View Dr. S.  Planning Agency  
CITY, ZIP: Des Moines Wa.98198  Library Board  
PHONE: Home 2068783321 Work 2063709326  Human Services  
LENGTH OF RESIDENCE AT THE ABOVE ADDRESS 13 Years  Senior Services  
Email address: patricio@eccomputer.com  
REGISTERED VOTER? Yes  
EMPLOYMENT SUMMARY LAST FIVE YEARS: E.C. COMPUTERS INC.

Are you related to anyone presently employed by the City or a member of a City Board? NO \_\_\_\_\_  
If yes, explain: \_\_\_\_\_

Do you currently have an owning interest in either real property (other than your primary residence or a business) in the Des Moines planning area? Yes If so, please describe: \_\_\_\_\_  
House 21215 14 Ave So.

IN ORDER FOR THE APPOINTING AUTHORITY TO FULLY EVALUATE YOUR QUALIFICATIONS FOR THIS POSITION, PLEASE ANSWER THE FOLLOWING QUESTIONS USING A SEPARATE PAPER IF NECESSARY.

1. Why do you wish to serve in this capacity and what can you contribute? \_\_\_\_\_  
I belong to this town and I stronger believe to participate and help to make different is one our first priorities, with the many years and see my community changes I feel I can be a good assist for this service and also it will help me to understand the dynamic.

2. What problems, programs or improvements are you most interest in? \_\_\_\_\_  
Human Services

3. Please list any Des Moines elective/appointive offices you have run/applied for previously. \_\_\_\_\_  
City Council 2013 temporally



# A G E N D A   I T E M

**SUBJECT:**  
Draft Resolution No. 13-119 related to  
National Parks and Recreation Month

**ATTACHMENT:**  
Draft Resolution No. 13-119

**FOR AGENDA OF:** June 27, 2013

**DEPT. OF ORIGIN:** Parks, Recreation, & Senior  
Services

**DATE SUBMITTED:** May 21, 2013

**CLEARANCES:**

- Legal JK
- Finance NA
- Marina N/A
- Parks, Recreation & Sr. Services [Signature]
- Planning, Building & Public Works NA
- Police N/A
- Courts N/A

**APPROVED BY THE CITY MANAGER**  
**FOR SUBMITTAL:** [Signature]

**Purpose and Recommendation**

The purpose of this Agenda Item is to request City Council passage of Draft Resolution No. 13-119 recognizing Parks and Recreation Month.

**Motion:** "I move to approve Draft Resolution No. 13-119 recognizing July as Parks and Recreation Month in Des Moines."

**Background**

Since 1985, America has celebrated July as the nation's official Parks and Recreation Month.

The Nation's House of Representatives has declared July as Parks and Recreation Month to recognize the great societal value of parks and recreation facilities and their importance in local communities across the United States; recognize and honor the vital contributions of employees and volunteers in park and recreation facilities; and support the designation of a "National Parks and Recreation Month".

**Discussion**

The City of Des Moines conducts many community programs and events throughout the year and in July will celebrate the start of summer with free community events such as: Fireworks Over Des Moines, Music in the Park and Outdoor Movies in the Park.

Parks and recreation activities, and leisure experiences provide diverse opportunities for young people to live, grow, and develop into contributing members of society; create lifelines and continuous life experience for older members of the community; generate opportunities for people to come together and experience a sense of community; and pay dividends to communities by attracting businesses, jobs, and increasing housing value.

Parks and recreation services play a vital role in creating active and healthy communities, and the majority of older adults who visit parks report moderate or high levels of physical activity during their visit and 50 percent of older adults who participated in light to moderate exercise report being in a better mood afterwards.

Parks and recreation facilities foster a variety of activities that contribute to a healthier United States, such as mobilizing urban communities to use chronic disease prevention practices, working with local school systems to educate children on nutrition and activity, connecting children with nature, and combating obesity in youth.

The creation of places for physical activity, combined with information outreach, produced a 48.4 percent increase in the frequency of physical activity. More than 75 percent of United States citizens use park and recreation facilities to maintain fitness and to remain socially interactive, which are critical to maintaining community cohesion and pride.

Community recreation programs at park and recreation facilities provide children with a safe refuge and a place to play, which helps to reduce at-risk behavior such as drug use and gang involvement.

Public parks and recreation systems around the country are dedicated to enhancing the quality of life for residents in communities through recreation programming, leisure activities, and conservation efforts.

Public parks and recreation facilities create enormous economic value through increased partnership, which improves the job base and the economic viability of the local economy, including business relocation and expansion in the community and increased tourism.

### **Alternatives**

Not to approve the Resolution.

### **Financial Impact**

No financial impact.

### **Recommendation/Concurrence**

Administration supports the passage of Resolution No. 13-119 recognizing Parks and Recreation Month.

## CITY ATTORNEY'S FIRST DRAFT 05/21/2013

## DRAFT RESOLUTION NO. 13-119

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DES MOINES, WASHINGTON,** relating to parks and recreation, and establishing July as *Parks and Recreation Month* in the City of Des Moines, Washington.

**WHEREAS,** Parks and Recreation Programs are an integral part of communities throughout this country, including the City of Des Moines, and

**WHEREAS,** the City of Des Moines' Parks and Recreation Programs and facilities are vitally important to establishing and maintaining the quality of life in our communities, ensuring the health of all citizens, and contributing to the economic and environmental well-being of a community and region, and

**WHEREAS,** the City of Des Moines' Parks and Recreation Programs build a healthy and active Des Moines that aid in the prevention of chronic disease and also improve the mental and emotional health of all citizens, and

**WHEREAS,** our Parks and Recreation Programs increase a community's economic prosperity through increased property values, expansion of the local tax base, increased tourism, the attraction and retention of businesses, and crime reduction, and

**WHEREAS,** our Parks and Recreation Areas are fundamental to the environmental well-being of our community, and

**WHEREAS,** our Parks and Natural Recreation Areas improve water quality, protect groundwater, prevent flooding, improve the quality of the air we breathe, provide vegetative buffers to development, and produce habitat for wildlife, and

**WHEREAS,** our Parks and Natural Recreation Areas ensure the ecological beauty of our community and provide a place for children and adults to connect with nature and recreate outdoors, and

**WHEREAS,** the City of Des Moines recognizes that the benefits derived from Parks and Recreation resources; now therefore,

Resolution No. \_\_\_\_  
Page 2 of \_\_\_\_

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

July is recognized as *Parks and Recreation Month* in the City of Des Moines, Washington.

**ADOPTED BY** the City Council of the City of Des Moines, Washington this 27th day of June, 2013 and signed in authentication thereof this 27th day of June, 2013.

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M A Y O R

APPROVED AS TO FORM:

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City Attorney

ATTEST:

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City Clerk

## A G E N D A   I T E M

### BUSINESS OF THE CITY COUNCIL City of Des Moines, WA

SUBJECT: Draft Resolution 13-011  
Setting a Public Hearing for Sign Code Changes

ATTACHMENT:

1. Draft Resolution 13-011

FOR AGENDA OF: June 27, 2013

DEPT. OF ORIGIN: Planning, Building and  
Public Works

DATE SUBMITTED: June 17, 2013

CLEARANCES:

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

APPROVED BY CITY MANAGER  
FOR SUBMITTAL:   Lub  

### Purpose and Recommendation

The purpose of this agenda item is to establish a public hearing date for the City Council to consider Draft Ordinance 13-011 which amends the Sign Code codified as Chapter 18.42 DMMC. The City Council can establish the public hearing date by passing the following motion, which will appear on the consent calendar:

### Suggested Motion

**Motion:** "I move to adopt Draft Resolution No. 13-011 setting a public hearing on July 25, 2013 to consider Draft Ordinance 13-011 amending the Sign Code codified as Chapter 18.42 DMMC."

## **Background**

Draft Ordinance 13-011, still being finalized by the Finance & Economic Development Committee, will amend a portion of Title 18 of the DMMC. Changes to Title 18 are processed as a Type VI land use action and as such require a public hearing to provide an opportunity for the public to comment.

Additionally, the date of the public hearing to consider Draft Ordinance 13-011 is required to be set by motion of the City Council pursuant to DMMC 18.60.120(3). Approval of the resolution setting the hearing date does not obligate the City Council to approve Draft Ordinance 13-011 at the public hearing.

Further, the regulations within the proposed amendments are classified as development regulations under the Growth Management Act as defined in RCW 36.70A.030(7); therefore, the Draft Ordinance will be reviewed by the Department of Commerce for review and comment by the Department and other State agencies. This is normally a 60 day review and comment period, but staff will request the final ordinance be expedited due to the fact that it has minimal Growth Management ramifications. An initial request for expedited review of a readerboard-only ordinance was granted.

## **Discussion**

The City is exploring a variety of means to communicate with the public about events or issues of City-wide importance. In addition to banners, public kiosks, and wayfinding improvements, electronic readerboard devices provide an opportunity to effectively provide information, notice, and direction to the public. The City's Sign Code does not clearly address that these types of signs are allowed as off premise signs. Allowing the public readerboards to be off premise signs would allow them to contain content about events and activities that may be located in areas other than where the sign is physically located. Generally, signs are allowed to advertise business or functions located on the site where the sign is located only. Staff believes that these devices and the ability to advertise for a broader public purpose is in the public interest. They will serve to notify the public and promote events that enhance the sense of community as well as provide a tool to help mobilize and direct efforts in a time of emergency or crisis.

The Finance and Economic Development Committee is also considering other Sign Code changes to promote economic development, support businesses and resolve long standing concerns raised by local businesses and community organizations. These will be incorporated into a single draft ordinance for Council consideration.

## **Alternatives**

The City Council may:

1. Adopt the Draft Resolution No. 13-011 as written.
2. Adopt the Draft Resolution establishing a different hearing date.
3. Decline to adopt the Draft Resolution.

## **Financial Impact**

None regarding setting a public hearing date.

PLANNING, BUILDING, AND PUBLIC WORKS' FIRST DRAFT  
06/18/2013

DRAFT RESOLUTION NO. 13-011

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DES MOINES, WASHINGTON, fixing a time for a public hearing to consider Draft Ordinance No. 13-011 which amends the City of Des Moines Sign Code codified as Chapter 18.42 DMMC to clarify that public readerboard signs are allowed as off premise signs, to help promote economic development, and to address community concerns.

WHEREAS, the City Council is considering a variety of means by which wayfinding and communication to the public for civic events purposes important public notices can be achieved, and

WHEREAS, the City is embarking on significant street improvements in the Gateway of South 216<sup>th</sup> Street and seeking a means to enhance communications to the public near city facilities in this area as well as throughout the Marina District and in other areas having high public visibility, and

WHEREAS, the City Council is considering some refinements in the Sign Code to help promote economic development, and

WHEREAS, a public hearing is required for adoption of an ordinance which amends a portion of the Title 18 DMMC commonly referred to as the Sign Code; now therefore,

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

The matter of amending Chapter 18.42 DMMC to clarify regulations that provide for public readerboards signs as off premise signs is set for a public hearing before the City Council on Thursday, July 25, 2013, at 7:00 p.m., or as soon thereafter as the matter may be heard, in the City Council Chambers, 21630 11th Avenue South, suite B, Des Moines, Washington.

ADOPTED BY the City Council of the City of Des Moines, Washington this 27th day of June, 2013 and signed in authentication thereof this \_\_\_\_ day of \_\_\_\_\_, 2013.

Resolution No. 13-011  
Page 2 of 2

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M A Y O R

APPROVED AS TO FORM:

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City Attorney

ATTEST:

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City Clerk

# AGENDA ITEM

## BUSINESS OF THE CITY COUNCIL City of Des Moines, WA

SUBJECT: LED Streetlight Conversion Agreements

FOR AGENDA OF: June 27, 2013

DEPT. OF ORIGIN: Planning, Building & Public Works

DATE SUBMITTED: June 18, 2013

**ATTACHMENTS:**

1. Intolight (PSE) Street Lighting Authorization Agreement
2. PSE Conservation Grant Agreement for LED conversions in 2013
3. PSE Conservation Grant Agreement for LED conversions in 2014
4. PSE Conservation Grant Agreement for LED conversions in 2015
5. April 4, 2013 Council Agenda Item
6. City of Des Moines LED Streetlight Change Out Map

**CLEARANCES:**

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

APPROVED BY CITY MANAGER FOR SUBMITTAL: [Signature]

**Purpose and Recommendation:**

The purpose of this agenda item is to authorize an Agreement with Intolight/Puget Sound Energy (Attachment 1) for the changeout of approximately 1,021 High Pressure Sodium (HPS) street lights to energy efficient Light Emitting Diode (LED) streetlights over the next 3 years, and Agreements with Puget Sound Energy to receive grant funds over the next three years to offset the installation costs (Attachments 2, 3, and 4). The following motion will appear on the consent calendar.

**Suggested Motion**

**MOTION:** "I move to approve the Agreement with Intolight for the changeout of approximately 1,021 High Pressure Sodium (HPS) street lights to energy efficient Light Emitting Diode (LED) streetlights over the next 3 years, and the Agreements with Puget Sound Energy to receive grant funds over the next three years to offset the installation costs, and authorize the City Manager to sign the Agreements substantially in the form as submitted."

**Background:**

At the April 4<sup>th</sup>, 2013 Council meeting, staff presented a proposal to the Council for the conversion of 100 watt HPS street lights to energy efficient LED street lights. In the City of Des Moines, out of the 1,655 lights, 1,021

of these are 100 watt HPS cobrahead style lights; nearly 63% of the lights in Des Moines. These lights are typically on local roads throughout the City. If the City were to convert all 1,021 lights to LED, the City would realize an approximate annual savings of **\$45,000** per year indefinitely. The Council Agenda Item from the April 4<sup>th</sup>, 2013 is provided as Attachment 5, and provides further background information.

**Discussion:**

Converting street lights from HPS to LED is a step toward reducing the City’s ongoing costs associated with street lights. LED street lights also have a much longer life cycle, industry experts believe LED street lights should last nearly 20 years as compared to the 8 year life of a HPS fixture. By converting to energy efficient street lights the City is also practicing good stewardship of electricity consumption. If staff were directed to move forward with this proposal the biggest challenge would be funding the initial cost of conversion. PSE would provide the physical labor of the change outs.

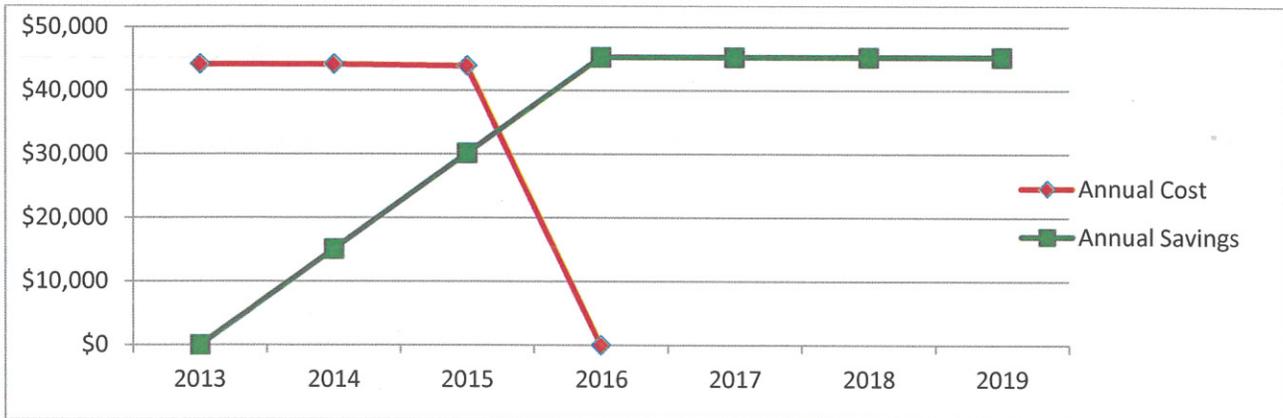
Based on Council Direction, staff has prepared Agreements with Intolight to initiate the LED conversion project (Attachment 1), and Agreements with Puget Sound Energy to receive grant funds over the next three years to offset the installation costs (Attachments 2, 3, and 4). A map showing the LED conversion project change out is provided as Attachment 6.

**Alternatives:**

The Council could decide to not move forward with the conversion project. Existing streetlights would remain functional, but the City would continue to pay higher rates for streetlighting. The current grant opportunity through PSE may not be available in the future if the City were to postpone a conversion project resulting in the potential for higher conversion costs in the future.

**Financial Impact:**

The 3-year conversion project has an annual cost of roughly \$44,000 after the grant proceeds. The additional costs would be funded using existing Street Fund “Fund Balance”. The annual savings would be based on the number of lights converted. By 2016, the “Fund Balance” would be restored, and the City would potentially be saving approximately \$45,000 per year at the current PSE electricity and maintenance rates. See graph below:



Based on the previous Council action on April 4<sup>th</sup>, 2013, the Finance Director will include the appropriate budget amendment/adjustment in the next 2013 Budget Amendment.

**Recommendation/Conclusion:**

Administration recommends the suggested motion.

**Concurrence:**

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

INTOLIGHT®

355 110th Avenue NE  
PO Box 90868, EST 9W  
Bellevue, Washington 98009-0868

(425) 456-2496 ph  
(425) 462-3149 fx

**Street Lighting Authorization Letter**  
Lighting Services from Puget Sound Energy

May 30, 2013

Mr. Tony Piasecki  
City Manager  
City of Des Moines  
21630 11th Avenue South, Suite #1  
Des Moines, WA 98198

Re: City of Des Moines – LED Conversion at Various Locations, Schedule 53 - 2013

Dear Mr. Piasecki:

With your authorization, over a period of 3 years, PSE will change out a total of 1,021 existing 100 Watt High Pressure Sodium (HPS) street lights to General Electric Cobra Head Flat Lens LED cobra head equivalents. The schedule is as follows: 345 converted in 2013, 345 converted in 2014 and 331 in 2015. This authorization pertains only to 100 Watt HPS luminaires to be converted to 54 Watt LED equivalent.

The installed cost for the conversion of 345 – 100 Watt HPS luminaires to LED equivalents in 2013 is \$66,008.85. **Payment for installation will be requested upon completion of half of the conversion at a time of this year's 345 luminaires.** This estimate is valid for 90 Days.

By signing this letter and returning it, you are stating that you authorize PSE to do the work and this order will be released to construction for scheduling. Please return one signed copy in the envelope provided and retain the other for your records.

Upon receipt of the signed agreement, there is a 6 to 8 week waiting period for installation to begin in order to procure materials and complete engineering drawings.

If you have any questions please call me at 206-604-3348.

Sincerely,

  
Jim Kennedy  
Account Manager  
PSE / IntoLight

The above is accepted and authorization is given:

By: \_\_\_\_\_  
Anthony Piasecki

Date: \_\_\_\_\_

Print Name: \_\_\_\_\_

Title: City Manager





Agreement No. C-12441  
 Project No. 089-8578  
**Conservation Schedule E250**

**CONSERVATION GRANT**

This AGREEMENT is made this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, by and between **PUGET SOUND ENERGY** and **CITY OF DES MOINES** (“Participant”).

**RECITALS**

- A. Under Puget Sound Energy’s Electric Schedule 83 and Gas Schedule 183, as currently in effect and on file with the Washington Utilities and Transportation Commission, Puget Sound Energy offers grants for electricity and natural gas conservation measures installed or implemented at facilities that receive electric or natural gas service from Puget Sound Energy.
- B. Participant intends to install or implement conservation measures and is requesting a grant from Puget Sound Energy under its filed Electric Schedule 83 and/or Gas Schedule 183 tariffs.

**AGREEMENTS**

Puget Sound Energy and Participant agree as follows:

- 1. **Premises.** Participant will install or implement the conservation measures listed in paragraph 2 (“Conservation Measures”) at the facilities located at **CITY OF DES MOINES DES MOINES, WA 98198 – STREET LIGHTING** (the “Premises”). Participant represents either (a) that it is the owner or contract purchaser or otherwise has the lawful authority to make the statements herein on behalf of the owner or contract purchaser of the Premises, or (b) that it is the lawful tenant of the Premises and that it has obtained written authorization from the owner or contract purchaser of the Premises.
- 2. **Conservation Measures.** Participant represents that it will purchase equipment or materials or has entered into an agreement or will enter into an agreement with a contractor or contractors (the “Contractor”) for the purchase and installation or implementation at the Premises of the Conservation Measures, which may be detailed in ***Attachment C: Attachment to Conservation Grant***, at the indicated costs, summarized below.

|   | <b>Conservation Measures</b>      | <b>Measure Life</b> | <b>Total Cost of Conservation Measures</b> | <b>Eligible Conservation Grant</b> |
|---|-----------------------------------|---------------------|--|------------------------------------|
| 1 | <b>LED Street Lighting</b>        | 20                  | \$66,009.00                                | \$22,025.00                        |
|   | <b>TOTAL (includes sales tax)</b> |                     | \$66,009.00                                | \$22,025.00                        |

Participant represents that the total cost of the Conservation Measures, if identified above, is the full amount of its obligation, after adjustment for any discounts, credits or non-PSE incentives offered.

- 3. **Grant.** Subject to Puget Sound Energy acceptance, Puget Sound Energy will grant the Participant, after installation of the Conservation Measures, an amount equal to the Eligible Electric Schedule 83 and Gas Schedule 183 Conservation Grant (the “Grant”) as identified above, provided, however, that such Conservation Measures must be installed, and Grant paid within 24 months or less of the signing of this Conservation Grant Agreement. If for any reason the cost of the Conservation Measures is actually less than shown above, Puget Sound Energy may decrease prorata the amount of the Grant. Participant shall be responsible for paying any amount in excess of the amount of the Grant.



Agreement No. C-12441

Project No. 089-8578

**Conservation Schedule E250**

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Agreement No. C-12441  
Project No. 089-8578

**Conservation Schedule E250**

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**PUGET SOUND ENERGY**

**PARTICIPANT**

By: \_\_\_\_\_

By: \_\_\_\_\_

Name: David Landers

Print Name: \_\_\_\_\_

Title: Mgr., Business Energy Management

Title: \_\_\_\_\_

Federal Tax I.D. No.: 91-6016496



Agreement No. C-12441  
Project No. 089-8578  
Conservation Schedule E250

### ATTACHMENT C TO CONSERVATION GRANT

Conservation Measure(s) shall consist of the following:

Replace (345) 100W HPS streetlights with (345) 54W LED streetlights (GE Cobra Head Flat Lens LED - ERS1) at locations in Des Moines, WA.

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- Other (specify):

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Agreement No. C-12441  
Project No. 089-8578  
Conservation Schedule E250

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An on-site inspection by a PSE employee will confirm the installation, and an EME will verify the resultant red line diagrams.

If the number of fixture change-outs is lower than the number provided in the bid, the grant amount will be adjusted down accordingly.

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#### PARTICIPANT

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By: \_\_\_\_\_

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Print Name: \_\_\_\_\_

Title: Manager, Business Energy Management

Title: \_\_\_\_\_

Federal Tax I.D. No.: 91-6016496





Agreement No. C-12443  
 Project No. 089-8579  
**Conservation Schedule E250**

## CONSERVATION GRANT

This AGREEMENT is made this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, by and between PUGET SOUND ENERGY and CITY OF DES MOINES ("Participant").

### RECITALS

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- B. Participant intends to install or implement conservation measures and is requesting a grant from Puget Sound Energy under its filed Electric Schedule 83 and/or Gas Schedule 183 tariffs.

### AGREEMENTS

Puget Sound Energy and Participant agree as follows:

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|   | Conservation Measures             | Measure Life | Total Cost of Conservation Measures | Eligible Conservation Grant |
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| 1 | LED Street Lighting               | 20           | \$66,009.00                         | \$22,025.00                 |
|   | <b>TOTAL (includes sales tax)</b> |              | <b>\$66,009.00</b>                  | <b>\$22,025.00</b>          |

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Agreement No. C-12443

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Agreement No. C-12443  
Project No. 089-8579  
**Conservation Schedule E250**

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By: \_\_\_\_\_

By: \_\_\_\_\_

Name: David Landers

Print Name: \_\_\_\_\_

Title: Mgr., Business Energy Management

Title: \_\_\_\_\_

Federal Tax I.D. No.: 91-6016496



Agreement No. C-12443  
Project No. 089-8579  
Conservation Schedule E250

**ATTACHMENT C  
TO CONSERVATION GRANT**

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\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_







Agreement No. C-12434  
 Project No. 089-8580  
**Conservation Schedule E250**

## CONSERVATION GRANT

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**PARTICIPANT**

By: \_\_\_\_\_

By: \_\_\_\_\_

Name: David Landers

Print Name: \_\_\_\_\_

Title: Mgr., Business Energy Management

Title: \_\_\_\_\_

Federal Tax I.D. No.: 91-6016496



Agreement No. C-12434  
Project No. 089-8580  
Conservation Schedule E250

### ATTACHMENT C TO CONSERVATION GRANT

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By: \_\_\_\_\_

By: \_\_\_\_\_

Name: David Landers

Print Name: \_\_\_\_\_

Title: Manager, Business Energy Management

Title: \_\_\_\_\_

Federal Tax I.D. No.: 91-6016496



## AGENDA ITEM

### BUSINESS OF THE CITY COUNCIL City of Des Moines, WA

SUBJECT: LED Streetlight Conversion Project

FOR AGENDA OF: April 4, 2013

DEPT. OF ORIGIN: Planning, Building & Public Works

DATE SUBMITTED: March 28, 2013

**ATTACHMENTS:**

1. City of Des Moines Streetlight Map

**CLEARANCES:**

- [X] Legal *pl*  
 [X] Finance *pl*  
 [ ] Marina N/A  
 [ ] Parks, Recreation & Senior Services N/A  
 [X] Planning, Building & Public Works *PJB*  
 [ ] 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 direction from the Council as to move forward with a project to convert a significant amount of the existing High Pressure Sodium (HPS) streetlights within the City to energy efficient Light Emitting Diode (LED) streetlights.

**Suggested Motion**

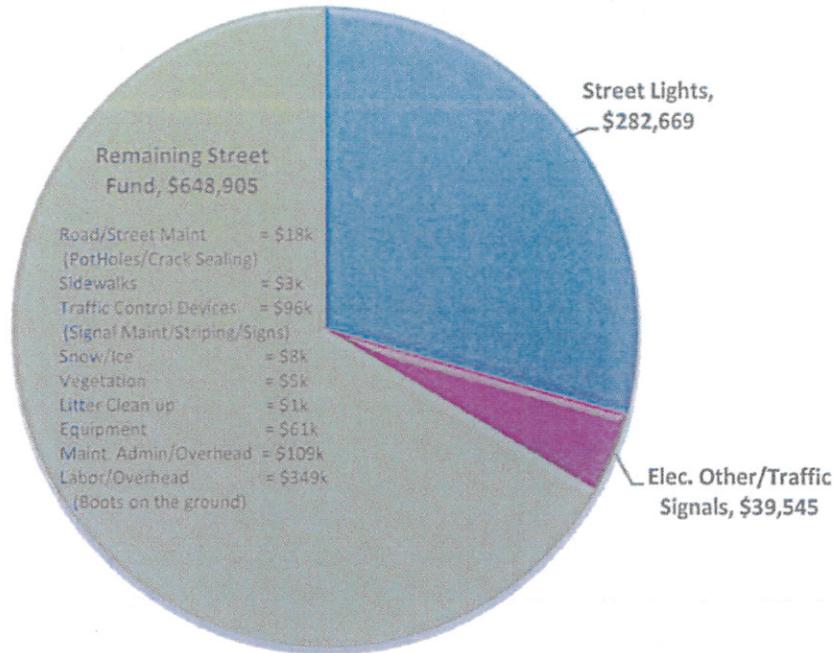
MOTION: "I move to direct staff to initiate the conversion process with PSE of the 1,036 100Watt High Pressure Sodium streetlights to energy efficient 54Watt LED type lights within the City over the next 3 years creating an additional annual cost of approximately \$44,075 to the Street Fund for years 2013, 2014, and 2015."

**Background:**

The current City of Des Moines annual Street Fund expenditures are just under 1 million dollars a year. In 2012, the City spent \$971,119 total in the Street Fund. This fund includes costs for road and street maintenance, sidewalk repairs, snow and ice removal, vegetation maintenance, signal and all City traffic control maintenance, the labor and management of the street maintenance division, as well as

paying for the electricity and maintenance of street lights and traffic signals. Last year, of the \$971,119 total, the City spent \$282,669 (approximately 30% of the total Street Fund expenditures) on street light maintenance and electricity.

Below is graph with a breakdown of these expenses.



With the exception of streetlights at signalized intersections, all of the streetlights installed in the City are the property of Puget Sound Energy (PSE). The City pays a monthly electric bill to PSE which includes both the electricity and a maintenance charge of each light. As of our last streetlight inventory, there were 1,655 streetlights within the City (see map in Attachment 1). All of these streetlights are High Pressure Sodium (HPS) type of lights. The current monthly cost for a 100 watt HPS light is \$12.02 per month or \$144.24 per year. Additionally, with inflation and costs of maintenance it is anticipated that over time the maintenance and electricity costs from PSE will continue to rise.

With such a large percentage of the Street Fund going to street lighting electricity and maintenance, staff is looking at ways to reduce these costs. Two of these ways staff is currently implementing are; 1) To limit the number of new residential installations by doing a thorough evaluation of the light request and determine if there is truly a good transportation or engineering reason why the roadway in question should need additional street lighting, and 2) The City is planning to take on ownership of new Transportation corridor improvement project lights such as the current 216<sup>th</sup> Phase 2 project under construction (216<sup>th</sup> between 18<sup>th</sup> and 24<sup>th</sup>). The maintenance of these project specific lights will be the responsibility of the City which will save a significant amount of money from the alternative option of

having PSE maintain the lights. In addition, the type of lights being installed will be energy efficient Light Emitting Diode (LED) type which use about 50% less electricity. Having City owned and maintained street lights will reduce the annual costs by about 80% versus the PSE owned and maintained option. There will be a relatively small increase in the annual WSDOT signal maintenance expenses as they have been contracted to also now maintain these new lights on South 216<sup>th</sup> Street when completed.

In the last few years the move towards LED type lights has grown. Several years ago the City changed out the traffic signal light bulbs (red, yellow, green) from HPS to LED. Getting robust and reliable LED street lights to the market has taken longer due to the complexities related to the design and function of street lights. In recent months, following a lengthy review and evaluation, PSE selected a LED street light manufactured by General Electric (GE) which would be suitable for converting older existing HPS street lights. This light will have a similar look to the existing HPS cobrahead style light throughout most of the City. Below is an image of the GE light selected by PSE:



GE Evolve LED Roadway Light – ERS1

In addition to PSE selecting a manufacturer for LED roadway lights, PSE also received approval from the Washington State Utilities and Transportation Commission to update their Electric Tarriff which in turn provided an additional schedule of rates for LED street lights. As an example, the current rate for a 100 watt HPS street light is \$12.02 per month which includes electricity and maintenance. The rate for a 54 watt LED (which would be the 100 watt HPS equivalent) is \$8.38 per month which includes electricity and maintenance, a savings of approximately 30%. For Cities (customers) such as Des Moines, PSE has stated a one-time cost of \$191.33 per light to change an existing 100 watt HPS to a 54 watt LED light.

In the City of Des Moines, out of the 1,655 lights, 1,036 of these are 100 watt HPS cobrahead style lights, nearly 63% of the lights in Des Moines. These lights are typically on local roads throughout the City. If the City were to convert all 1,036 lights to LED, the City would realize an annual savings of \$45,253 per year indefinitely. This is a 16% reduction in the overall street light bill and a 30% reduction in the annual cost of the existing 1,036 lights. Currently, PSE is offering a grant or rebate style incentive of \$63.70 per light to convert from HPS to LED. This lowers the one-time cost to \$127.63 per light. At \$127.63 per light to change out, 1,036 lights would have an initial cost of \$132,225. By saving \$45,253 per year, the simple payback on an initial cost of \$132,225 would be just under 3 years ( $\$132,225/\$45,253 = 2.9$  years)

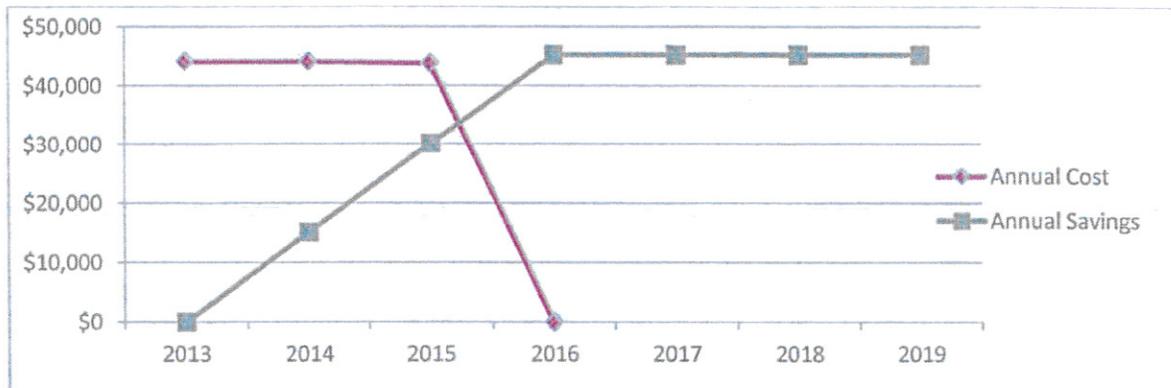
Changing out the remaining 619 higher wattage lights has not been looked at in detail as of yet, however, it is assumed there would be cost savings in converting the additional lights which are at varying wattages other than 100 watt. Specific corridors such as the lights on Pacific Highway South

would need more extensive research and analysis as they were installed and “designed” specifically for the lighting needs of that corridor.

### Discussion:

Converting street lights from HPS to LED is a step toward reducing the City’s ongoing costs associated with street lights. LED street lights also have a much longer life cycle, industry experts believe LED street lights should last nearly 20 years as compared to the 8 year life of a HPS fixture. By converting to energy efficient street lights the City is also practicing good stewardship of electricity consumption. If staff were directed to move forward with this proposal the biggest challenge would be funding the initial cost of conversion. PSE would provide the physical labor of the change outs. Staff brought the conversion idea forward to the PS&T committee on March 7<sup>th</sup> and was given direction to bring the item forward to the full Council. Staff is proposing the following:

Phase in the conversion over 3 years using the existing Street Fund “Fund Balance” creating an additional cost of about \$44,075 for 2013, 2014, and 2015. The “Fund Balance” would be restored fully in year 4 (2016), see graph below:



Note: staff could continue to explore grant opportunities to accelerate the conversion process and offset local costs if those opportunities presented themselves.

### Alternatives:

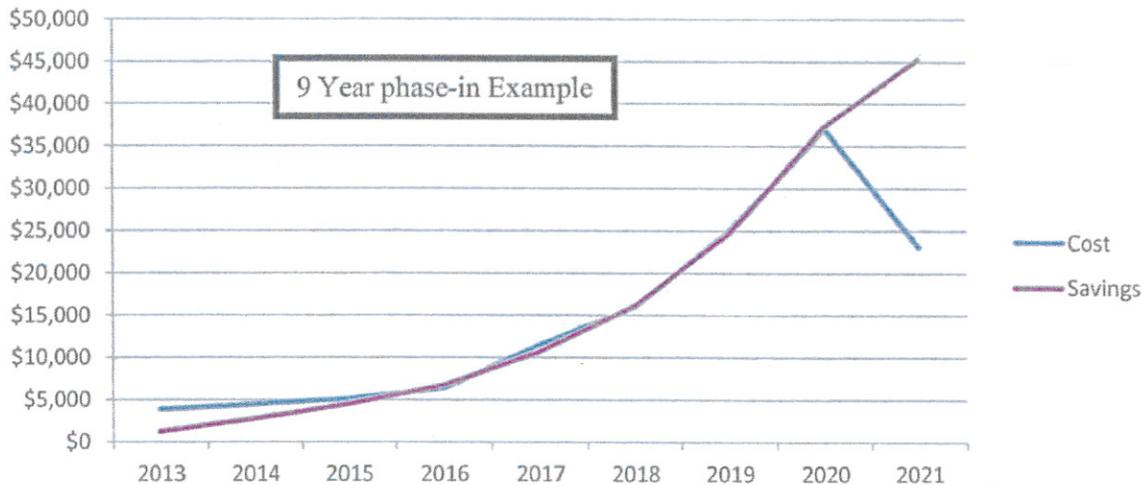
Some alternative options to fund a conversion include:

1. Borrow initial costs: There may be the possibility of a Public Works Trust Fund Loan under the Energy/Water Efficiency Loan Program. Currently the loan application process is closed. Available loan funds will be dependent upon decisions in the current session of the Washington State Legislature and the State’s adopted budget beginning July 1, 2013.
2. Wait for a future Energy Grant: The State Department of Commerce has awarded grants to cities in the past. The last cycle closed in January. It is unknown if there will be a new round

of grants, again available funds depends upon decisions in the current session of the Washington State Legislature and the State's adopted budget beginning July 1, 2013.

3. Change out the 1,036 lights in one year using the existing Street Fund "Fund Balance" creating an additional cost in the 2013 operating budget of \$132,225. The projected 2013 ending "Fund Balance" is currently about \$270,000 would then be restored in the annual energy savings over the next 3 years. In year 4 the City would realize the \$45,253 annual savings indefinitely.
4. Phase in the conversion of the 1,036 lights over a longer period of time. An example below shows a 9 year plan which keeps the annual cost capped around \$5,000 a year. In this scenario, the amount of lights converted starts out smaller and the number increases each year as the savings of the previous conversions are realized. The break-even year would occur in 2021.

| Year | # of lights | Total # of | Cost     | Savings  | Net      | Net Running |
|------|-------------|------------|----------|----------|----------|-------------|
| 2013 | 30          | 30         | \$3,829  | \$1,310  | -\$2,519 | -\$2,519    |
| 2014 | 35          | 65         | \$4,467  | \$2,839  | -\$1,628 | -\$4,146    |
| 2015 | 40          | 105        | \$5,105  | \$4,586  | -\$519   | -\$4,665    |
| 2016 | 50          | 155        | \$6,382  | \$6,770  | \$389    | -\$4,276    |
| 2017 | 90          | 245        | \$11,487 | \$10,702 | -\$785   | -\$5,061    |
| 2018 | 125         | 370        | \$15,954 | \$16,162 | \$208    | -\$4,854    |
| 2019 | 195         | 565        | \$24,888 | \$24,679 | -\$209   | -\$5,062    |
| 2020 | 290         | 855        | \$37,013 | \$37,346 | \$334    | -\$4,728    |
| 2021 | 181         | 1,036      | \$23,101 | \$45,252 | \$22,151 | \$17,423    |



Note: Under option 4, staff could continue to explore grant opportunities to accelerate the conversion process and off-set local costs if those opportunities presented themselves.

#### **Financial Impact:**

A 3-year conversion project has an annual cost of roughly \$44,075. The annual savings would be based on the number of lights converted. By year four, the City would potentially be saving approximately \$45,252 per year at the current PSE electricity and maintenance rates.

**Recommendation/Conclusion:**

Administration recommends the suggested motion. Staff would bring back to the Council a budget amendment to authorize the new expenditure, as well as any contract documents with PSE if needed for signature authority.

**Concurrence:**

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



**City of Des Moines  
& Vicinity  
Streetlight Map**

**100W Cobra Head Fixture  
Replacement Phases**

- 2013
- 2014
- 2015

Replacement Year Total Count

|      |     |
|------|-----|
| 2013 | 345 |
| 2014 | 345 |
| 2015 | 331 |

Total Replaced: **1,021**

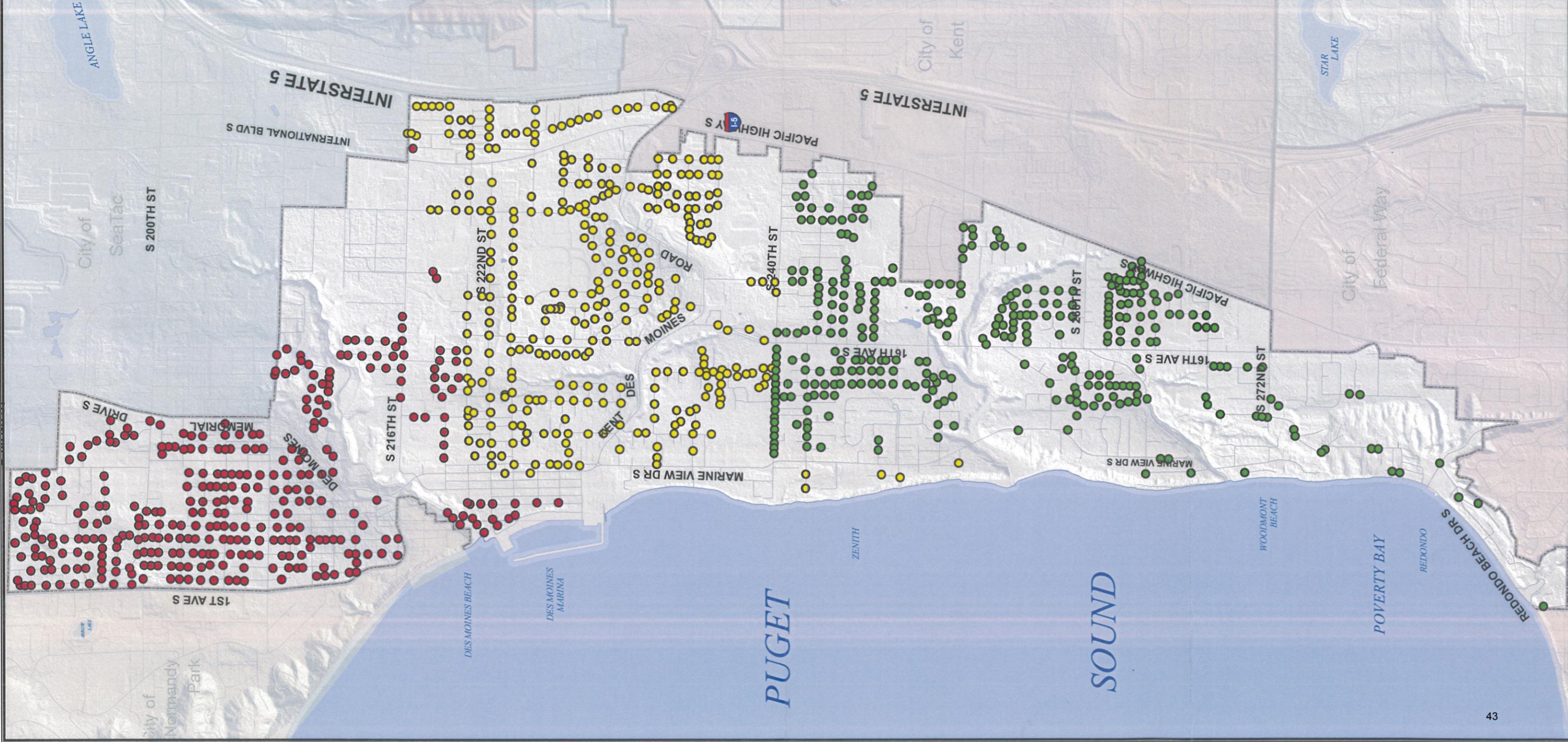
43



**Planning, Building  
& Public Works**

21650 11th Ave S  
Des Moines, WA 98198-6398  
PHONE: (206) 870-7576 • FAX: (206) 870-6544  
WEB: <http://www.desmoineswa.gov>

File: LightAudit\_100WWaitReplacement.pdf  
Map Generated: Apr. 26, 2013  
©2013 City of Des Moines GIS





**A G E N D A I T E M**

**BUSINESS OF THE CITY COUNCIL  
City of Des Moines, WA**

SUBJECT: Transportation Gateway Project:  
S. 216<sup>th</sup> Street Segment 1A - Project Parcel 19  
Right-of-Way Parcel #215640-0301-06  
Luria Pacific North West LLC

FOR AGENDA OF: June 27, 2013

DEPT. OF ORIGIN:

DATE SUBMITTED: June 13, 2013

**ATTACHMENTS:**

- 1. Quit Claim Deed
- 2. Graphic: Detail NW Corner of Parcel 19

**CLEARANCES:**

- Legal RB
- Finance pk
- Marina N/A
- Parks, Recreation & Senior Services \_\_\_\_\_
- Planning, Building & Public Works DJB
- Police N/A
- Courts N/A

APPROVED BY CITY MANAGER  
FOR SUBMITTAL: Sub

**Purpose and Recommendation**

The purpose of this agenda item is to seek City Council approval to accept a quit claim deed (Attachment 1) to remedy a scrivener's error related to survey and description related to the above property. The following motion will appear on the consent calendar:

**Suggested Motion**

**Motion: I move to accept the Quit Claim Deed for Parcel Number 215640-0301-06 from Luria Pacific North West LLC, to remedy a scrivener's error of approximately 207 square feet of property used for roadway purposes by the City of Des Moines, without fee; authorize payment of administrative costs not to exceed \$2,000.00; and furthermore authorize the City Manager to sign and record the Quit Claim Deed substantially in the form as submitted and accept the deed on behalf of the City of Des Moines."**

**Background**

While preparing the Right of Way plan for South 216<sup>th</sup> Street, Segment 1A, the City's Design Consultant, KPG Inc., discovered a scrivener's error related to the property description for the parcel on the SW corner of Pacific Highway South and South 216<sup>th</sup> Street. This property is owned by Luria Pacific North West LLC, and is currently leased by Bartells.

After reviewing the right-of-way documents, it was discovered that a gap in the City's right-of-way ownership had inadvertently been created in 1996 due to an incorrect legal description. A graphic depicting this gap is provided as Attachment 2. This property was intended to be purchased for roadway purposes as part of the Pacific Highway Redevelopment project, and the former owner compensated \$3,407 on June 12, 1996. The City's Consultant has recommended resolution of this error prior to proceeding with right of way acquisition in this corridor.

### **Discussion**

Staff contacted the new owner, Mark Luria with an offer to resolve this issue including the City's preparation and recording of a quit claim deed to quiet the title. This action required the owner closely coordinate with his attorney and the current Leaseholder, Bartell Drugs to modify the lease agreement. Staff negotiated with the owner to pay an amount not to exceed \$2,000.00 for his administrative and legal expenses required to execute this Quit Claim Deed. Given that the City has already paid a fee for this property, no additional compensation for the property is necessary or being offered.

### **Alternatives**

The Council could choose not to accept this quit Claim Deed. Not accepting the quit claim deed would leave a cloud on the property legal description and ownership, which could result in future problems when maintain city infrastructure and equipment currently located on the property in question. Not accepting the deed will add a layer of complexity to future right of way negotiations with the property owner.

### **Financial Impact**

The Council authorized preparation of the right of way plan for this corridor and securing necessary right of way as opportunities become available. There are adequate funds and South 216<sup>th</sup> Street, Segment 1A, Project budget to reimburse the current owner for expenses incurred.

### **Recommendation or Conclusion**

Staff recommends the Council approve the proposed motion.

### **Concurrence**

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

**After Recording, Return to:**  
**CITY OF DES MOINES**  
**ATTN: CITY ATTORNEY**  
**21630 11<sup>TH</sup> Avenue South, Suite C**  
**Des Moines, WA 98198**

**QUIT CLAIM DEED**

Document Title: **Quit Claim Deed**

Reference Number of Related Documents:

**KC#7202020313 QCD to City of Des Moines**

**KC#9606200764 to City of Des Moines; KCSC #02-2-19397-8 KNT Awarded to City of Des Moines**

Grantors: **Luria Pacific North West LLC**

Grantee: **City of Des Moines**

Abbreviated Legal Description: **Portion of the NW 1/4 of the SE 1/4 of Section 9, Township 22 North, Range 4 East, W.M.**

Assessor's Tax Parcel ID#: **215640-0301-06**

Additional Legal(s): **Exhibit A-1 and Exhibit A-2**

THE GRANTOR, Luria Pacific North West LLC, a Washington limited liability company, conveys and quitclaims to the City of Des Moines, A State of Washington Municipal Corporation, for good and valuable consideration to remedy a scrivener's error, the following described real property, situated in the County of King, State of Washington, together with all after acquired title of the Grantor therein:

Contained herein as **Exhibit A- 1 and Exhibit A-2.**

DATED this \_\_\_\_\_ day of June, 2013.

**Grantor:**

LURIA PACIFIC NORTH WEST LLC, a  
Washington limited liability company

By \_\_\_\_\_  
Joshua Luria, Authorized Signatory

**Grantee:**

THE CITY OF DES MOINES,  
A State of Washington Municipal Corporation

\_\_\_\_\_  
Anthony A. Piasecki, City Manager

By direction of the Des Moines City Council taken at open public meeting on \_\_\_\_\_,  
2013.

Approved as to form only:

\_\_\_\_\_  
Pat Bosmans, City Attorney

\_\_\_\_\_  
Date

**CALIFORNIA ALL-PURPOSE ACKNOWLEDGEMENT**

STATE OF California )SS  
COUNTY OF \_\_\_\_\_ )

File No: ( )  
APN No:

On \_\_\_\_\_ before me, \_\_\_\_\_, Notary Public, personally appeared

personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies) and that by his/her/their signature(s) on the instrument the person(s) or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature \_\_\_\_\_

This area for official notarial seal.

**OPTIONAL SECTION  
CAPACITY CLAIMED BY SIGNER**

Though statute does not require the Notary to fill in the data below, doing so may prove invaluable to persons relying on the documents.

- INDIVIDUAL
- CORPORATE OFFICER(S) TITLE(S)
- PARTNER(S)       LIMITED       GENERAL
- ATTORNEY-IN-FACT
- TRUSTEE(S)
- GUARDIAN/CONSERVATOR
- OTHER

SIGNER IS REPRESENTING:

\_\_\_\_\_  
Name of Person or Entity

\_\_\_\_\_  
Name of Person or Entity

**OPTIONAL SECTION**

Though the data requested here is not required by law, it could prevent fraudulent reattachment of this form.

**THIS CERTIFICATE MUST BE ATTACHED TO THE DOCUMENT DESCRIBED BELOW**

TITLE OR TYPE OF DOCUMENT: \_\_\_\_\_

NUMBER OF PAGES \_\_\_\_\_ DATE OF DOCUMENT \_\_\_\_\_

SIGNER(S) OTHER THAN NAMED ABOVE \_\_\_\_\_

Reproduced by First American Title Insurance 1/2001



EXHIBIT A-1  
TO QUIT CLAIM DEED

**PARCEL NUMBER 215640-0301**

THAT PORTION OF THE HEREINAFTER DESCRIBED PARCEL "A", DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE SOUTH MARGIN OF SOUTH 216<sup>TH</sup> STREET AS ESTABLISHED BY DEED RECORDED UNDER RECORDING NO. 7202020313, RECORDS OF KING COUNTY, WASHINGTON, AND THE WEST MARGIN OF PRIMARY STATE HIGHWAY NO. 1;

THENCE SOUTH 06° 04' 58" WEST ALONG SAID WEST MARGIN 7.55 FEET TO A LINE DESCRIBED BY DEED RECORDED UNDER RECORDING NO. 9606200764, RECORDS OF KING COUNTY, WASHINGTON, AND THE TRUE POINT OF BEGINNING;

THENCE NORTH 48° 25' 53" WEST ALONG SAID LINE, 11.75 FEET TO SAID SOUTH MARGIN OF SOUTH 216<sup>TH</sup> STREET;

THENCE NORTH 88° 15' 51" WEST ALONG SAID SOUTH MARGIN, 15.30 FEET TO A LINE DESCRIBED IN KING COUNTY SUPERIOR COURT CAUSE NUMBER 02-2-19397-8 KNT;

THENCE SOUTH 48° 27' 00" EAST ALONG SAID LINE, 30.47 FEET TO SAID WEST MARGIN OF PRIMARY STATE HIGHWAY NO. 1;

THENCE NORTH 06° 04' 58" EAST ALONG SAID WEST MARGIN, 12.02 FEET TO THE TRUE POINT OF BEGINNING.

CONTAINING 207 SQUARE FEET, MORE OR LESS.

**PARCEL "A"**

(PER STEWART TITLE COMPANY ORDER NO. 01148-12330, DATED NOVEMBER 6, 2012)

THAT PORTION OF THE NORTH HALF OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 9, TOWNSHIP 22 NORTH, RANGE 4 EAST, WILLAMETTE MERIDIAN, IN KING COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID NORTH HALF OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 9;

THENCE SOUTH 1°03'58" WEST ALONG THE WEST LINE THEREOF 42.00 FEET TO A POINT ON THE SOUTH MARGIN OF SOUTH 216TH STREET AS ESTABLISHED BY DEED RECORDED UNDER RECORDING NO. 7202020313, AND THE TRUE POINT OF BEGINNING;

THENCE SOUTH 88°15'50" EAST ALONG THE SOUTH LINE OF THE NORTH 42.00 FEET OF SAID SUBDIVISION, WHICH LINE IS ALSO THE SOUTH MARGIN OF 216TH STREET, 345.57 FEET, MORE OR LESS, TO THE WEST MARGIN OF PRIMARY STATE HIGHWAY NO. 1;

THENCE SOUTH 6°04'10" WEST 250.72 FEET TO THE NORTH LINE OF THAT CERTAIN PROPERTY DESCRIBED IN DEED RECORDED UNDER AUDITOR'S FILE NUMBER 4911747;

THENCE NORTH 88°15'50" WEST, PARALLEL TO THE NORTH LINE OF SAID SUBDIVISION AND ALONG THE NORTH LINE OF THE LAND DESCRIBED IN DEED RECORDED UNDER AUDITOR'S FILE NUMBER 4911747, 322.66 FEET TO THE WEST LINE OF SAID SUBDIVISION;

THENCE NORTH 1°03'58" EAST ALONG THE WEST LINE OF SAID SUBDIVISION 250.02 FEET TO THE TRUE POINT OF BEGINNING;

EXCEPT THAT PORTION THEREOF CONVEYED TO THE CITY OF DES MOINES BY DEED RECORDED UNDER RECORDING NO. 9606200764;

AND EXCEPT THAT PORTION THEREOF CONDEMNED IN KING COUNTY SUPERIOR COURT CAUSE NUMBER 02-2-19397-8 (KENT).

EXHIBIT A-1

Parcel No. 215640-0301-06

EXHIBIT A-2  
TO QUIT CLAIM DEED

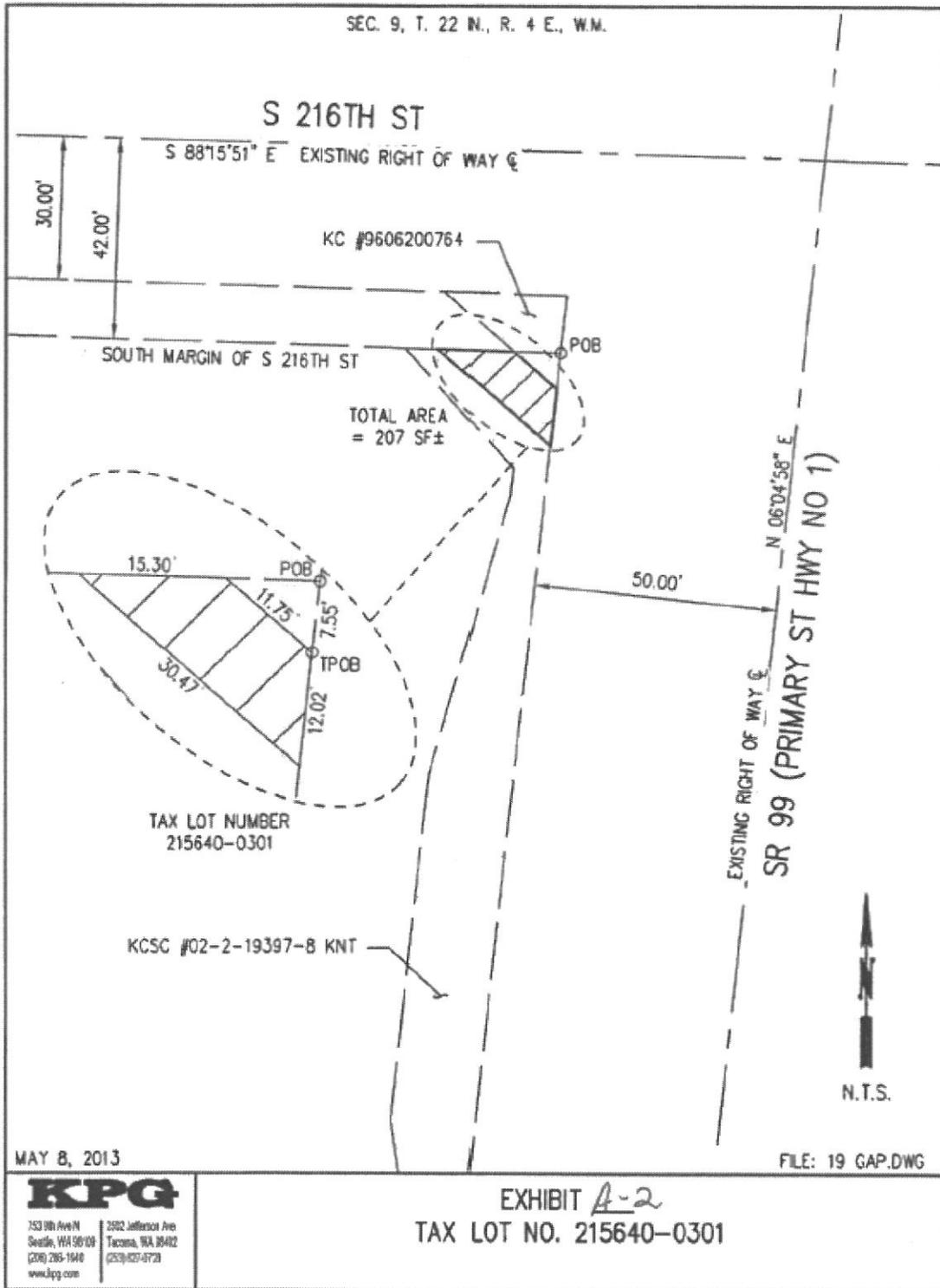
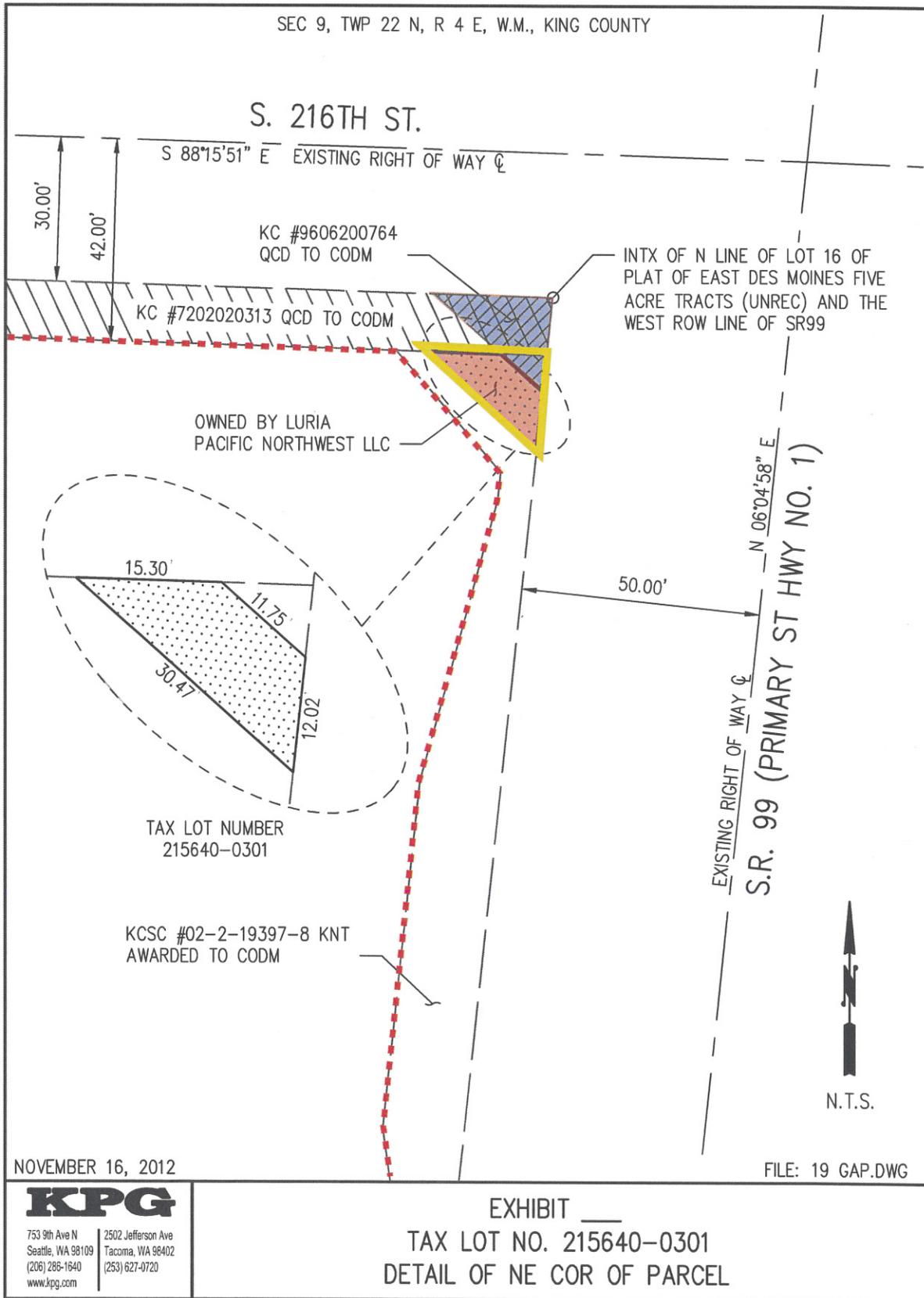


EXHIBIT A-2

Parcel No. 215640-0301-06





## AGENDA ITEM

SUBJECT: Link Light Rail Alternatives  
Analysis Conclusions

AGENDA OF: June 27, 2013

DEPT. OF ORIGIN: Planning, Building &  
Public Works

ATTACHMENTS:

DATE SUBMITTED: June 17, 2013

1. Summary of Sound Transit Presentation on Federal Way Transit Extension Alternatives Analysis Update, June 2013
2. Draft EIS Scoping Letter for Federal Way Transit Extension
3. Sound Transit Executive Summary on the Alternatives Analysis
4. Joint Des Moines/SeaTac Link Light Rail Extension Policy Paper dated 3/28/13

CLEARANCES:

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

APPROVED BY CITY MANAGER

FOR SUBMITTAL: Lab

**Purpose and Recommendation:**

The purpose of this item is to update the City Council on the conclusions from Sound Transit's Federal Way Transit Extension (FWTE) alignment and station location alternatives analysis (Attachment 1) and to discuss and receive Council policy direction on a draft EIS scoping letter (Attachment 2) to be submitted to Sound Transit not later than July 15th.

**Suggested Motion**

**Motion:** "I move to approve the Draft EIS Scoping letter for the Federal Way Transit Extension, and authorize the Mayor to sign the letter of behalf of the City."

**Background:**

On June 28, 2012, Sound Transit and the City of SeaTac approved a Development Agreement with Sound Transit providing for the extension of Link Light Rail from the Sea-Tac Airport Station to South 200<sup>th</sup> Street by the fall of 2016. Sound Transit estimates that there will be \$1.7 billion in one time construction impacts and over 11,000 construction related statewide jobs created by the development of the vacant and underdeveloped parcels in the half mile area surrounding the South 200<sup>th</sup> Street Station (this area extends to South 208th Street) plus \$2 billion and over 12,000 jobs annually, statewide.

On April 26<sup>th</sup>, Sound Transit held a groundbreaking event celebrating the start of construction on the Link light rail extension to the new Angle Lake Station at South 200<sup>th</sup> Street. The project will extend light rail 1.6 miles south of Sea-Tac International Airport along an elevated guideway. The project also includes a parking garage, bicycle and pedestrian improvements and a plaza area. Riders boarding at the

Angle Lake Station will have a congestion-free 40-minute ride to downtown Seattle when service starts in the fall of 2016.

Service during peak commute periods will operate every six minutes between SeaTac and the University of Washington. An estimated 2,600 local jobs will be created from project construction. The completed station will also provide transit access to local neighborhoods where up to 28 percent of households are living in poverty, 16 percent are elderly, and people representing more than 80 nationalities speaking 70 languages. Light rail service at the new station can save drivers who switch from car to transit as much as \$995 a month. The extension is also projected to eliminate 26 million vehicle miles traveled through the Interstate 5 corridor, save nearly 1.3 million gallons of gasoline, and reduce greenhouse gases by 6,180 tons per year.

Anticipating the arrival of Link Light Rail to the Highline Community College by 2023, the cities of Kent and Des Moines, supported by a \$125,000 state grant, completed a collaborative planning project called “Envision Midway”. A series of open houses, workshops and stakeholder group meetings were held in 2008 and 2009. Des Moines City Council subsequently approved an ordinance amending the Des Moines Comprehensive Plan incorporating the Envision Midway planning work in November 2009. In December 2011, the City of Kent, after further planning and analysis, adopted a subarea plan, zoning and design guidelines for Midway that sets the table for the extension of Link Light Rail and associated transit-oriented development in Midway.

The Des Moines Comprehensive Plan includes the following strategies related to the extension of Link Light Rail to and through Des Moines:

***Transportation Element  
Strategy 3-05-04 Public Transit***

*(7) Support Sound Transit light rail (LRT) station(s) in Pacific Ridge, Midway, and Woodmont areas on Pacific Highway South. (CTP TR 4.8)*

*(9) Work with Sound Transit to establish a light rail transit stop at South 216th Street. (CTP TR 4.10)*

*(10) Work with Sound Transit on station area planning for Midway and South 272nd Street stations. (CTP TR 4.11)*

*(11) Coordinate with the City of Kent for the Midway subarea. (CTP TR 4.12)*

***Pacific Ridge Element***

***Policy 11-03-11*** *Coordinate with Sound Transit and the Cities of Kent, SeaTac and Federal Way on the extension of light rail through Des Moines.*

***Strategy 11-04-07*** *Support a light rail alignment on or east of the SR 99 center median, or along 30<sup>th</sup> Avenue South, provided a light rail stop is added in the vicinity of South 216<sup>th</sup> Street; or designate the west margin of Interstate 5 as the light rail corridor through Pacific Ridge. Work with Sound Transit to establish a light rail stop in the vicinity of S 216<sup>th</sup> Street.*

On February 7, 2013, the City Council adopted the following 2013 Intergovernmental Policy:

*B.4.i. The City supports a light rail alignment on the State Route 509 alignment and the west margin of Interstate 5 as the light rail corridor through Pacific Ridge.*

Sound Transit staff last briefed the full Council on March 28, 2013.

## Discussion

In June 2012, Sound Transit began an “Alternatives Analysis” on the 7.6 mile corridor from South 200<sup>th</sup> Street to the Federal Way Transit Center including stations in the vicinity of Highline Community College by 2023 and South 272<sup>nd</sup> Street when funds become available.

The Alternatives Analysis is now complete and Sound Transit staff will brief Council on the results of that analysis (Attachment 1 in 11”x17” color). More detail is included in an Executive Summary provided as Attachment 3. Attachment 3 can also be reviewed at the Sound Transit website: [http://www.soundtransit.org/Documents/pdf/projects/fwte/Outreach/20130614\\_AlternativesAnalysisSummary.pdf](http://www.soundtransit.org/Documents/pdf/projects/fwte/Outreach/20130614_AlternativesAnalysisSummary.pdf).

The next planning phase is a Draft EIS (DEIS)/Conceptual Engineering, public comment on the DEIS, and a Final EIS/Preliminary Engineering. Completion of the environmental approval process and a Sound Transit Board decision on what to build is expected in late 2016 based on available funds followed by a Record of Decision from the Federal Transit Administration. Note that no engineering drawings or detail have been developed to date. Some preliminary engineering detail may be developed in 2015 and 2016 during the conceptual and preliminary engineering phases.

The public is being invited to learn more about FWTE planning and provide input in the scope of the EIS during June and July. Materials to be used in these community meetings can be reviewed at: [http://www.soundtransit.org/Documents/pdf/projects/fwte/Outreach/201306\\_FWTEScopingPresentation.pdf](http://www.soundtransit.org/Documents/pdf/projects/fwte/Outreach/201306_FWTEScopingPresentation.pdf). Sound Transit’s Board will review EIS scoping comment and approve Draft EIS alternatives on September 26, 2013.

Sound Transit staff and their consultants evaluated a range of alternative alignments on SR99, I-5, 30<sup>th</sup> Avenue South and 24<sup>th</sup> Avenue South including plans for elevated, at grade and mixed cross sections, and a number of possible station locations at South 216<sup>th</sup> Street, three Kent-Des Moines Road options and two Redondo options. Stakeholders in the Woodmont area also asked that a 260<sup>th</sup> Station alternative be evaluated. The stakeholders were provided the opportunity to comment on the accuracy and completeness of these Level 1 and 2 ideas as Sound Transit applied their screening and evaluation criteria.

It should be emphasized that these alternatives represented the full range of what Sound Transit heard from stakeholders and the Alternatives Analysis conclusions are at this time insufficient and incomplete with respect to final decisions about alignments, configurations or station locations, only degrees of relative impact indicating which alignments and station locations should be further evaluated during the EIS process.

The SeaTac and Des Moines City Councils agreed that policy paper (Attachment 4) was a helpful way to assist in the coordinated evaluation of these alternative alignments and station locations by considering these seven shared prioritized goals for Light Rail Extension:

1. Minimize impacts on businesses and residents
2. Facilitate, not compromise, economic development along alignment
3. Maintain traffic capacity along SR99 and at Kent-Des Moines intersection
4. Be compatible with full build out of SR509 extension to I-5 and collector distributor network to Federal Way
5. Facilitate Highline Community College access and fully mitigate traffic, parking, land use and law enforcement impacts on the College
6. Facilitate *Transit Oriented Development* along alignment and especially at stops
7. Improve local east-west and north-south transit connections as well as regional commuting

This policy paper was shared with Sound Transit staff. The policy establishes a framework of prioritized goals and principles which we hope will guide alternative analysis and decision making on light rail extension and station locations through our respective cities.

At tonight's meeting, Sound Transit staff will present an abbreviated version (Attachment 1) of a June 13<sup>th</sup> update to the Sound Transit Board Capital Committee on the Level 1 and 2 Alternatives Analysis.

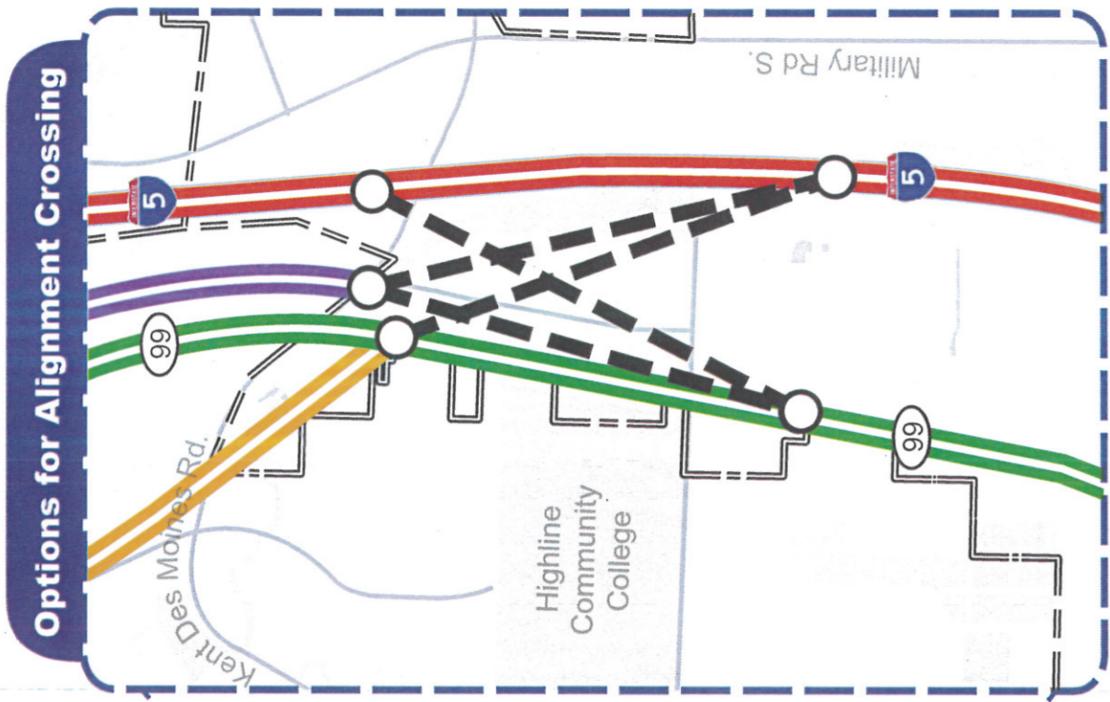
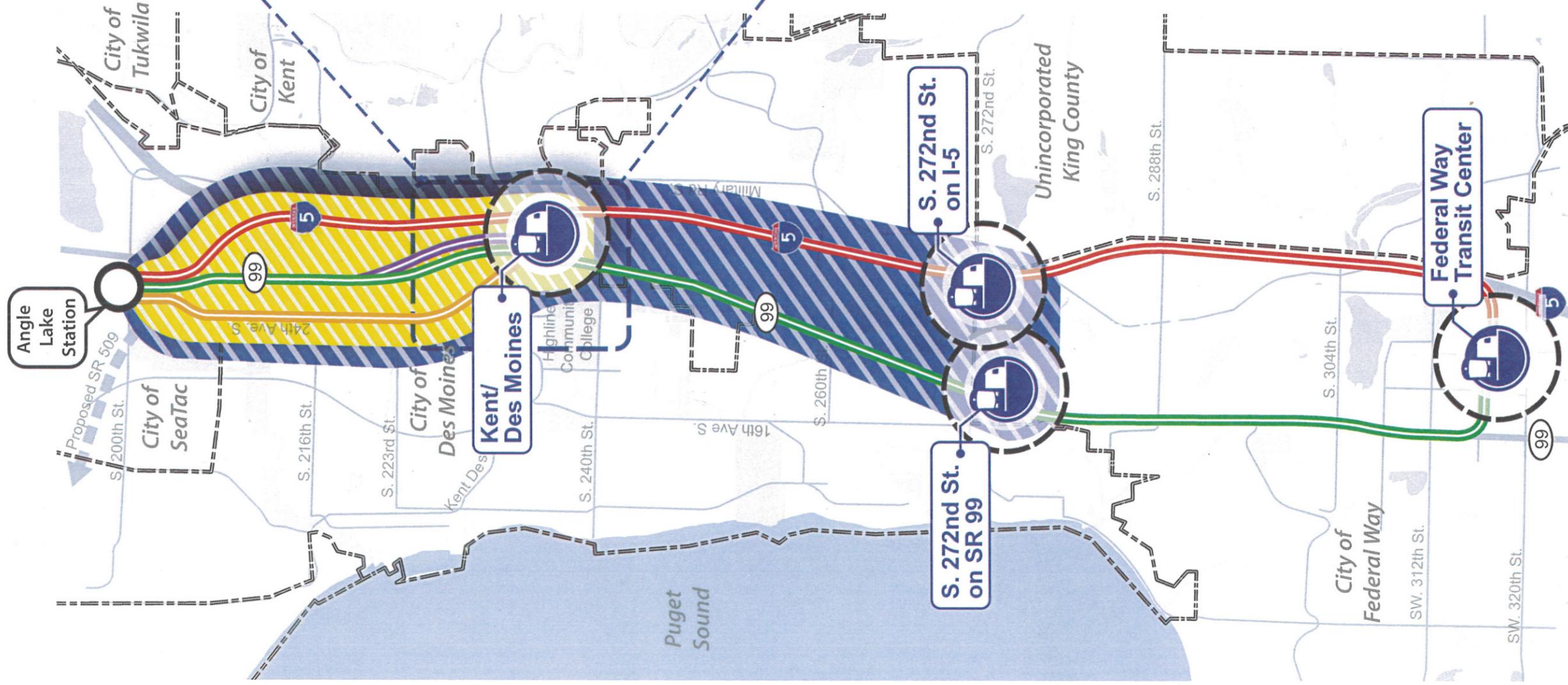
The Public Safety and Transportation Committee received an update on Federal Way Transit Extension planning process at its June 6<sup>th</sup> meeting.

**Recommendation/Conclusion:**

City Council approve the draft EIS scoping letter to Sound Transit dated June 28, 2013.

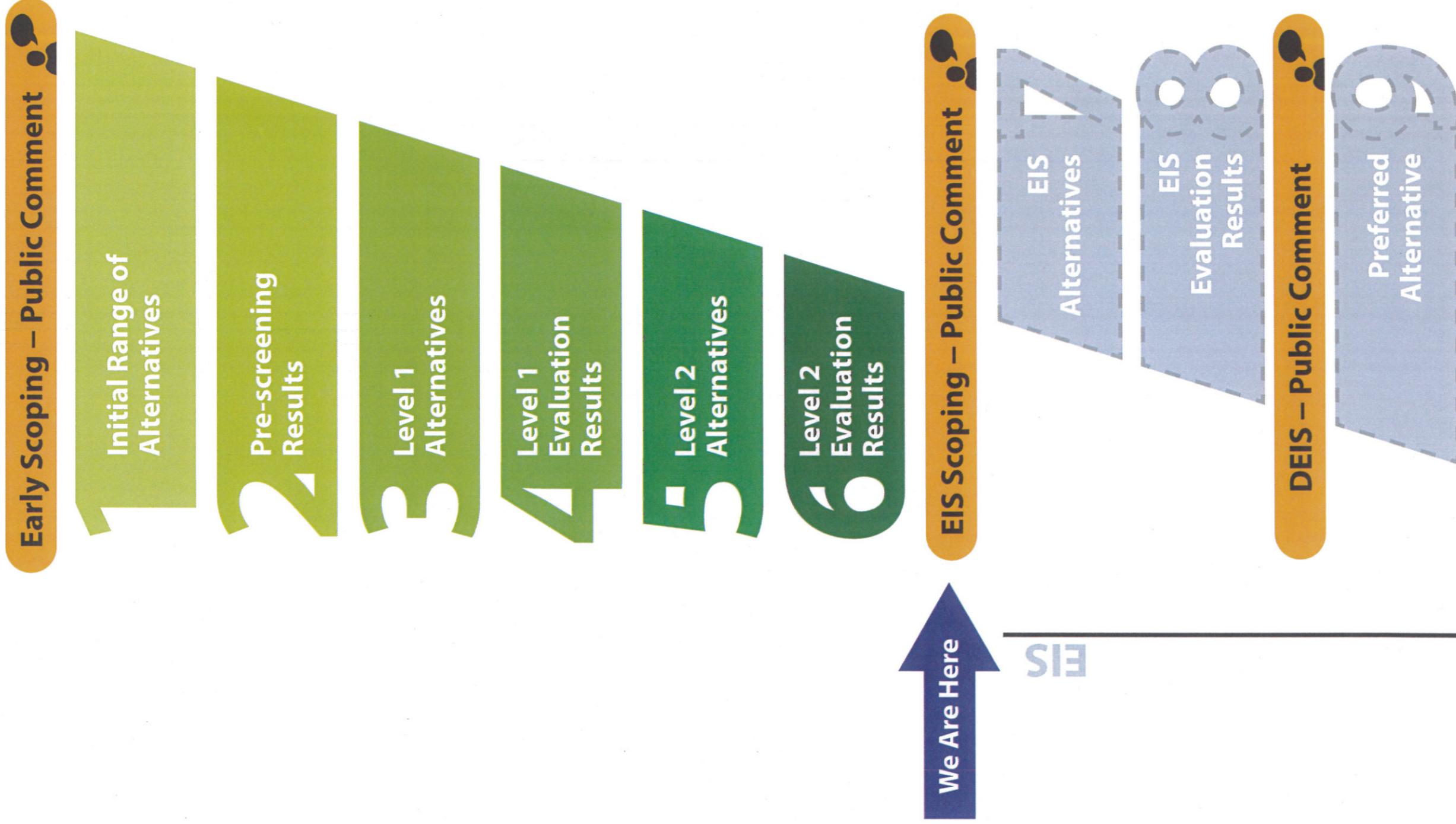
# Federal Way Transit Extension Alternatives Analysis Update

## Initial Range of Alternative Corridors



# Federal Way Transit Extension Alternatives Analysis Update

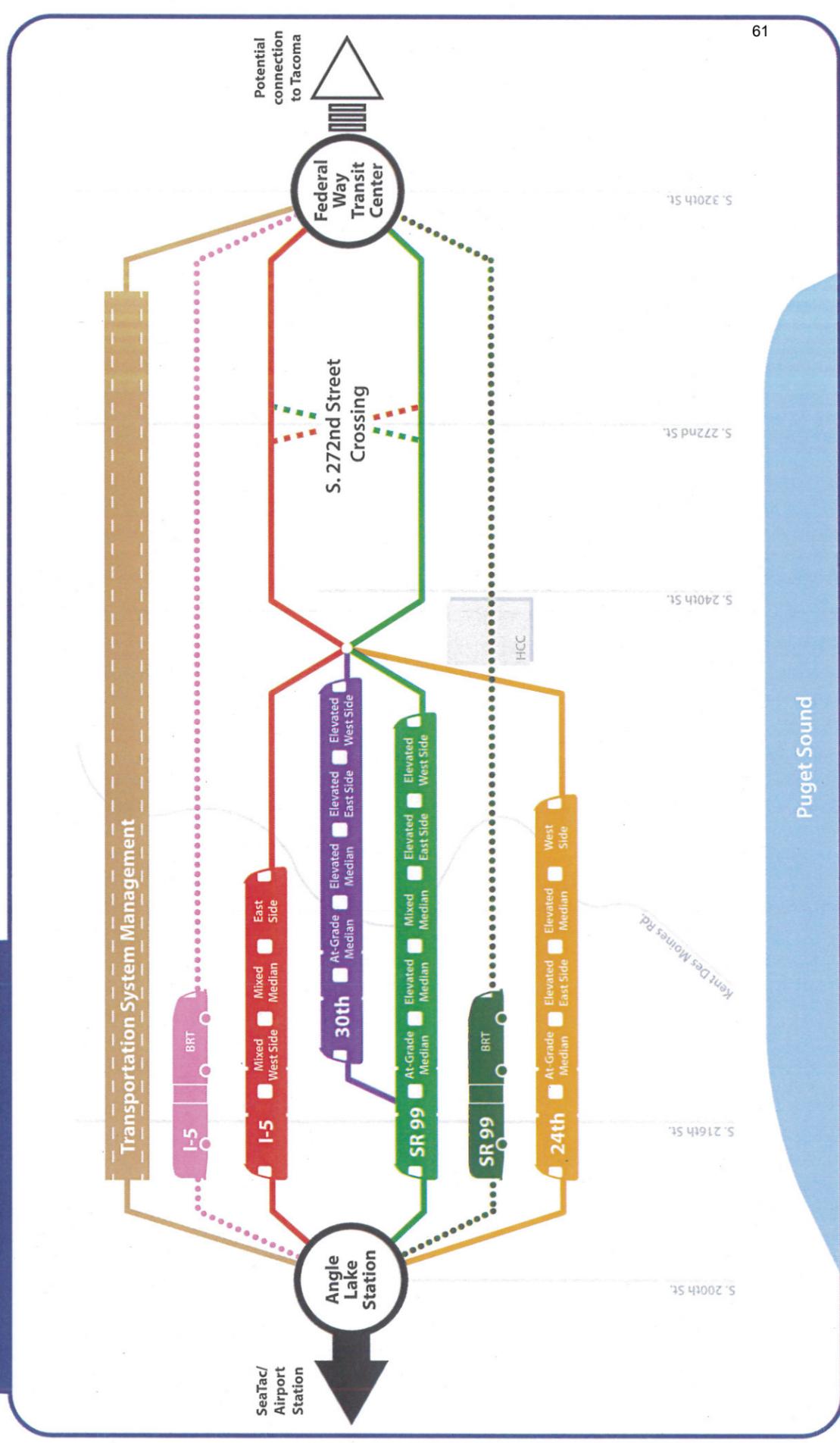
## Alternatives Analysis Process



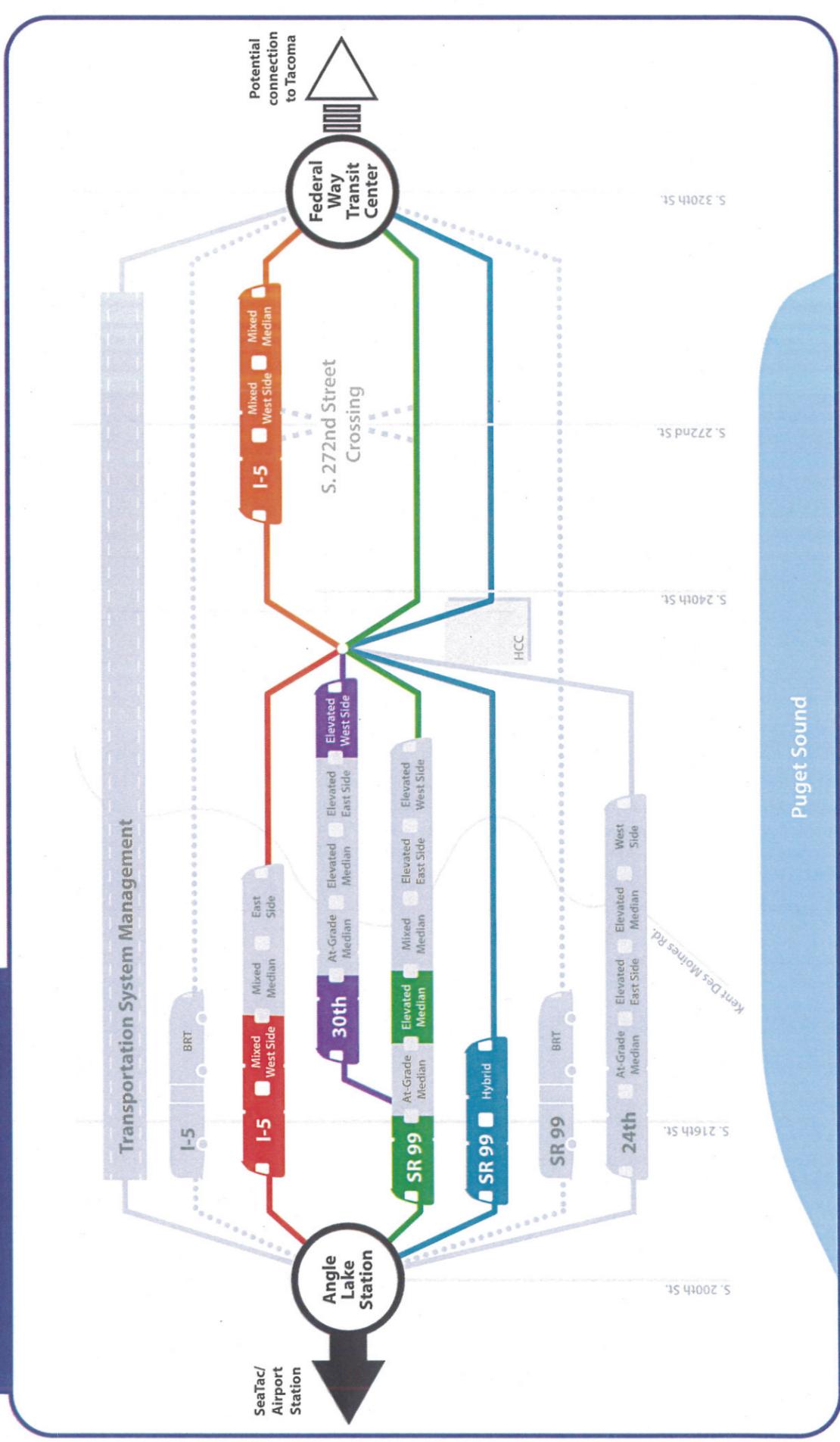
# Federal Way Transit Extension Alternatives Analysis Update

## Level 1 Evaluation Overview

### Initial Range of Alternatives

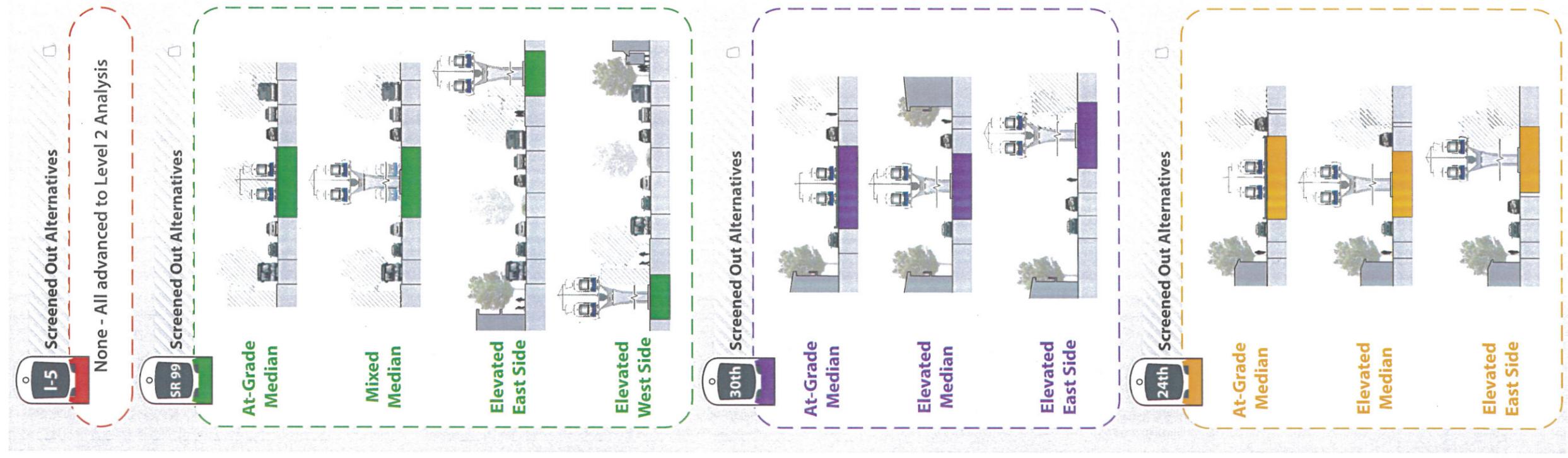
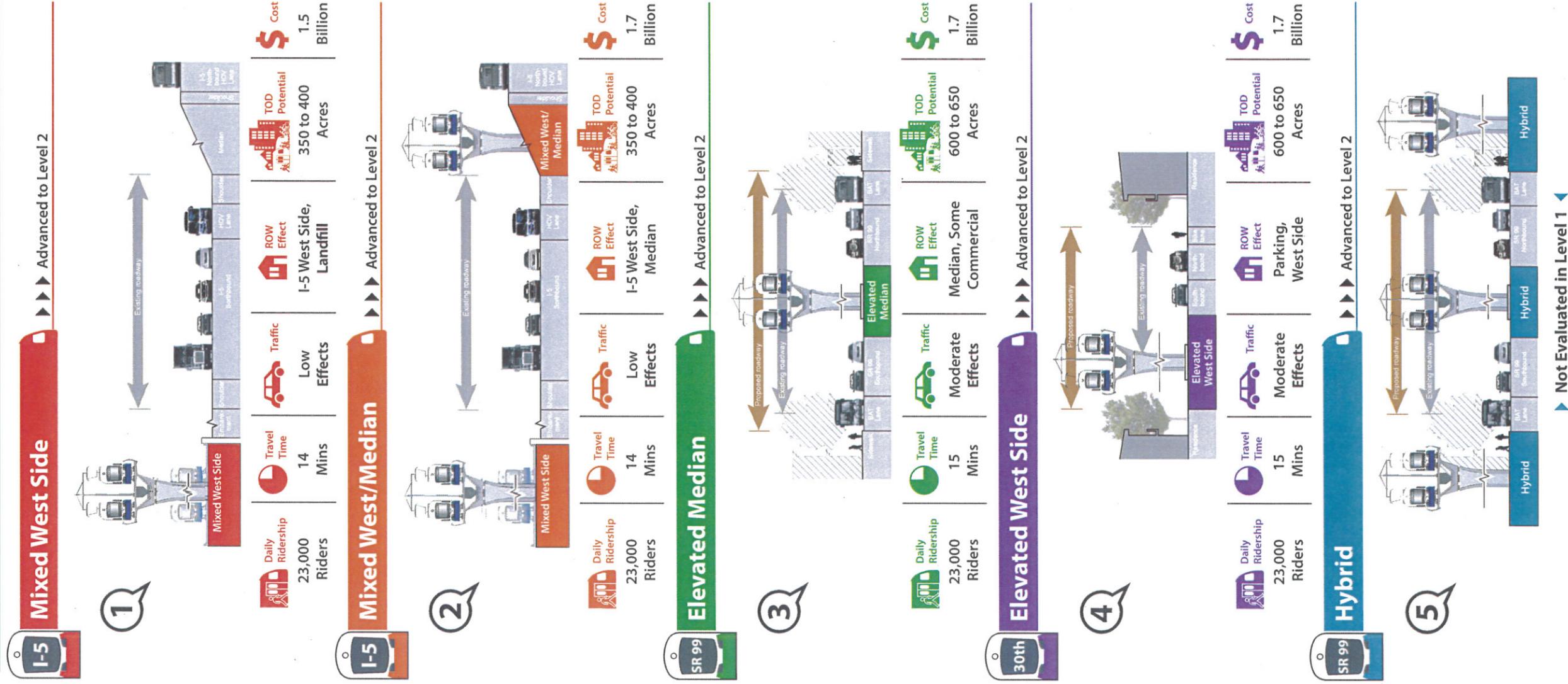


### Level 1 Evaluation Results



# Federal Way Transit Extension Alternatives Analysis Update

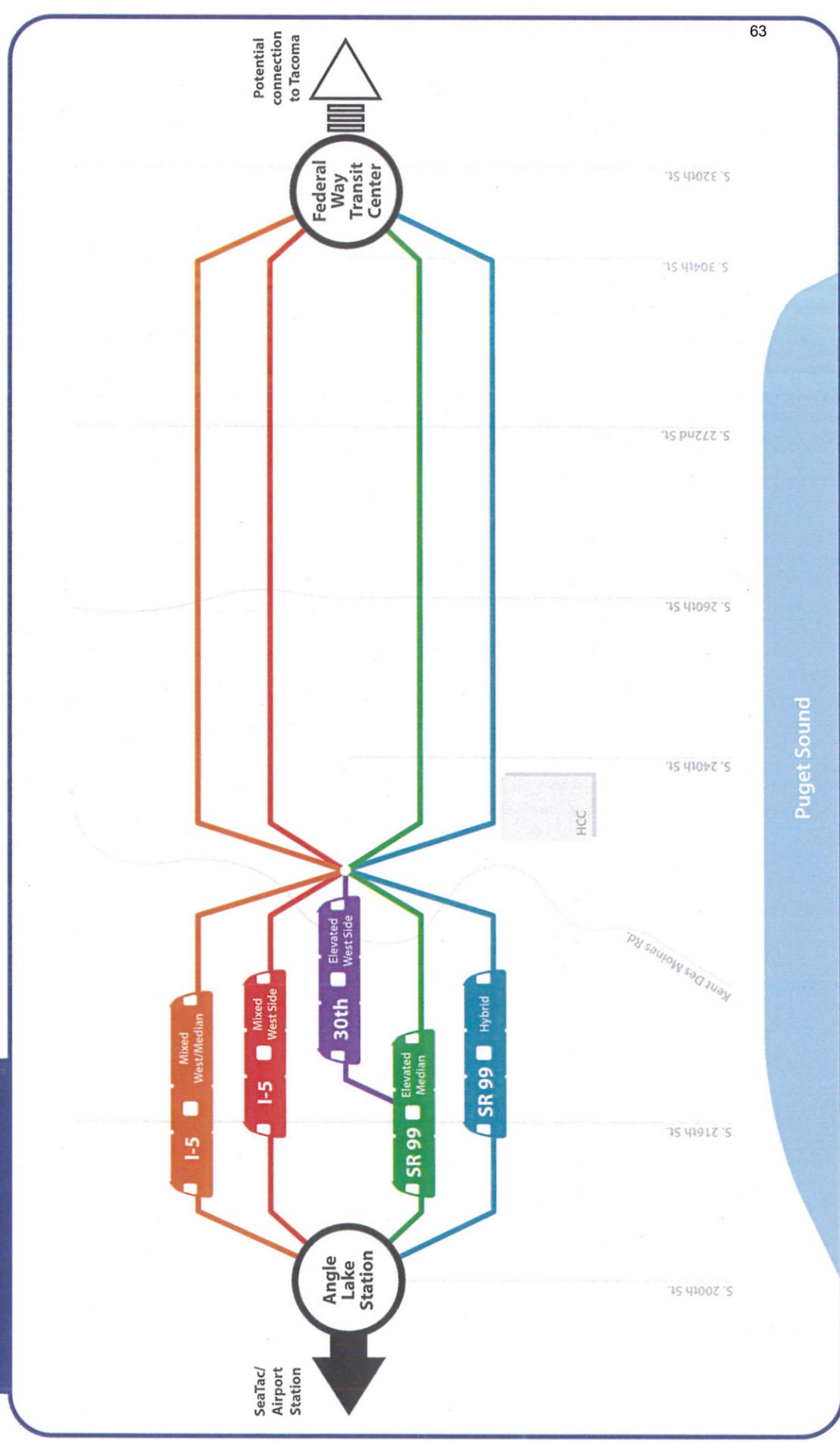
## Level 1 Evaluation Results



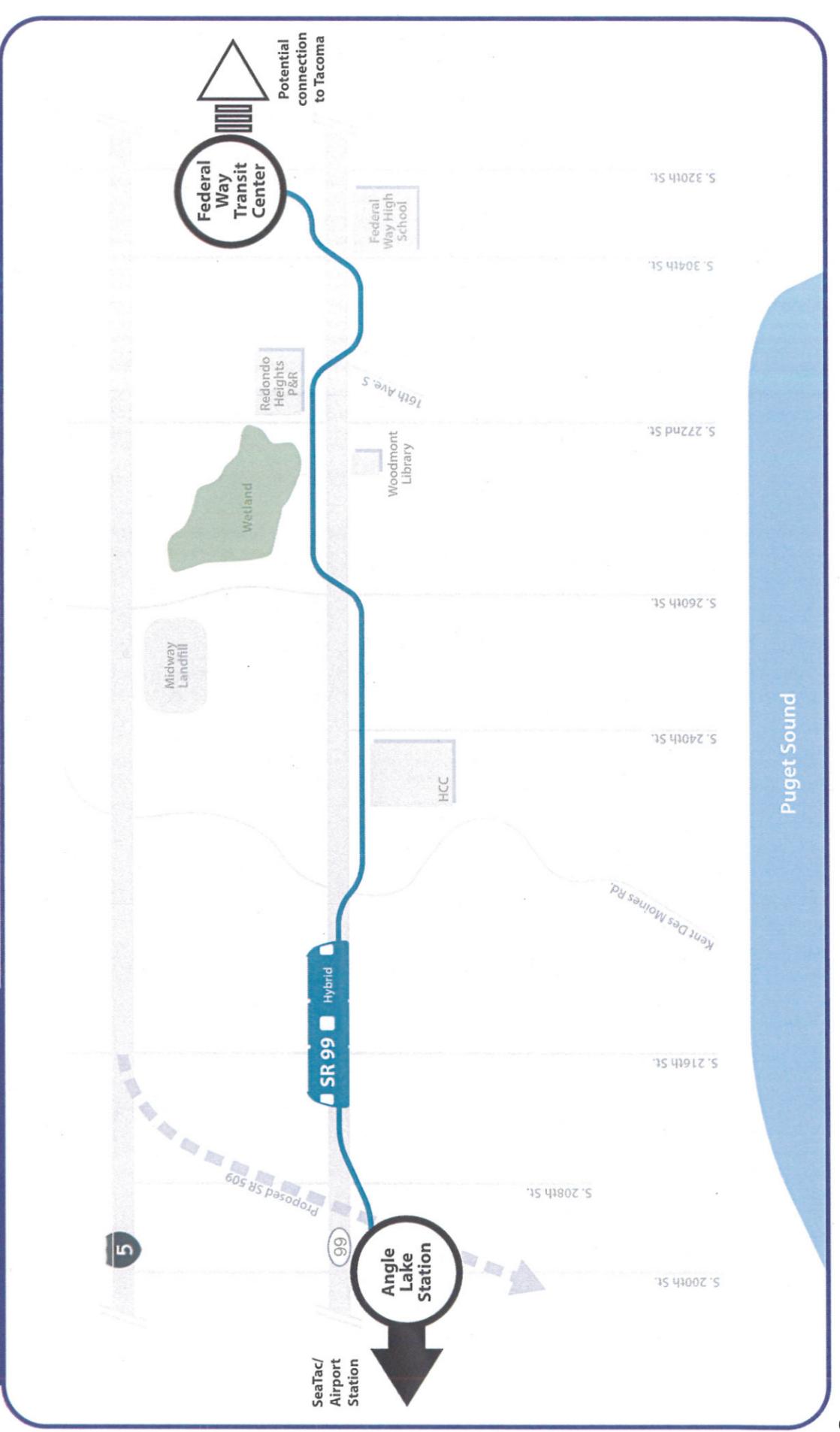
# Federal Way Transit Extension Alternatives Analysis Update

## Level 2 Alternatives Overview

### Level 2 Alternatives

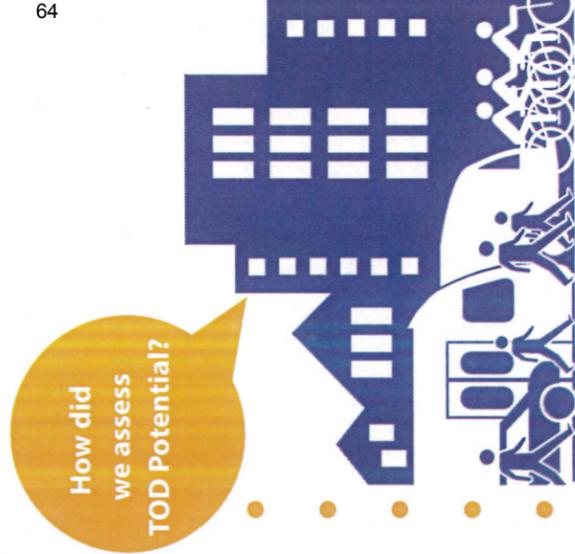
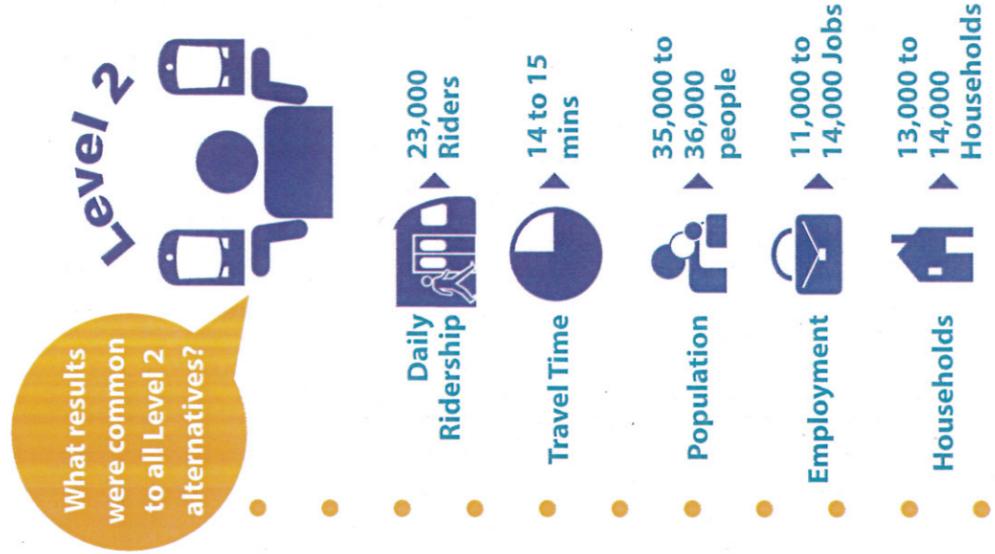
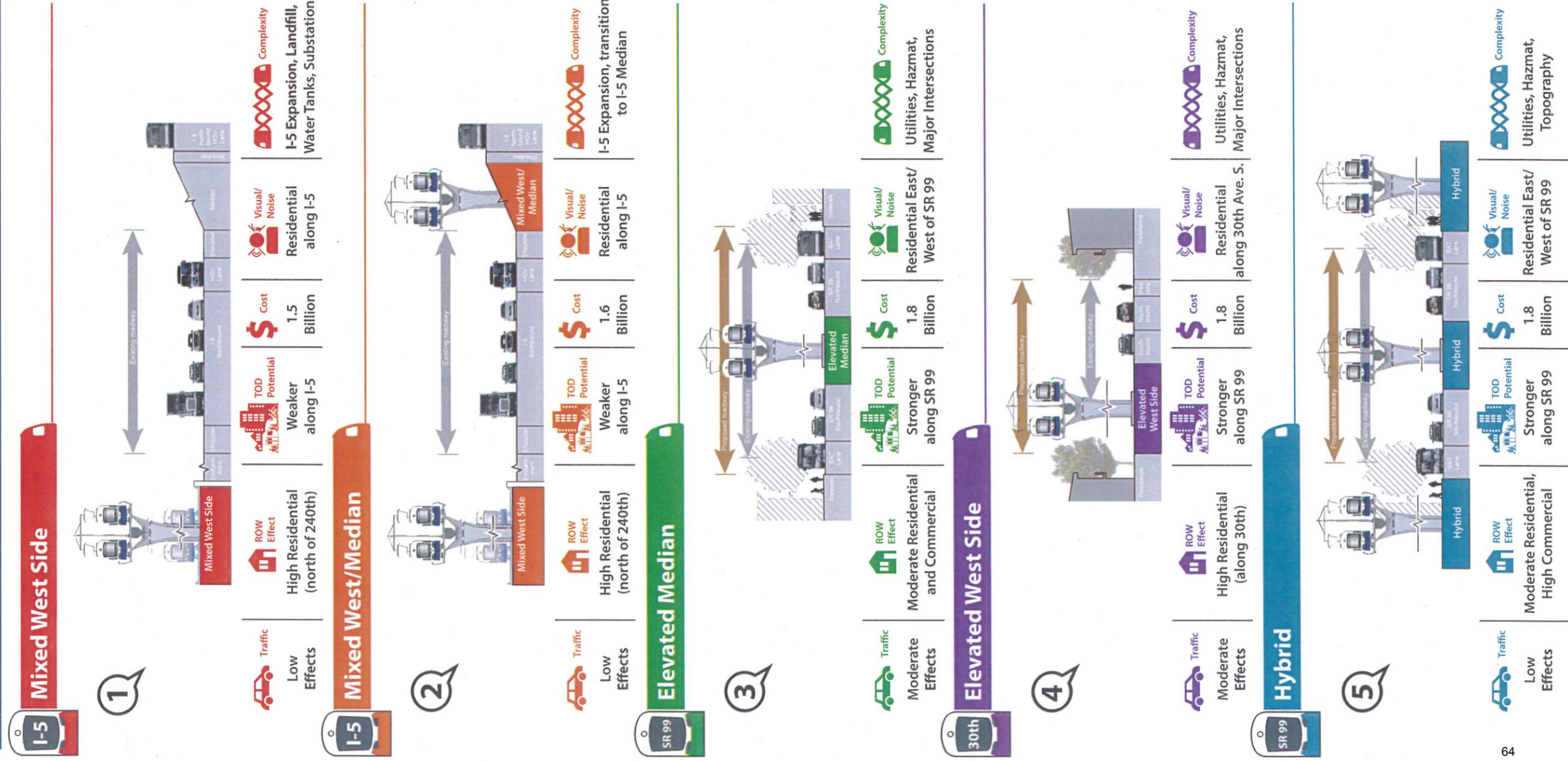


### SR 99 Hybrid Alternative



# Federal Way Transit Extension Alternatives Analysis Update

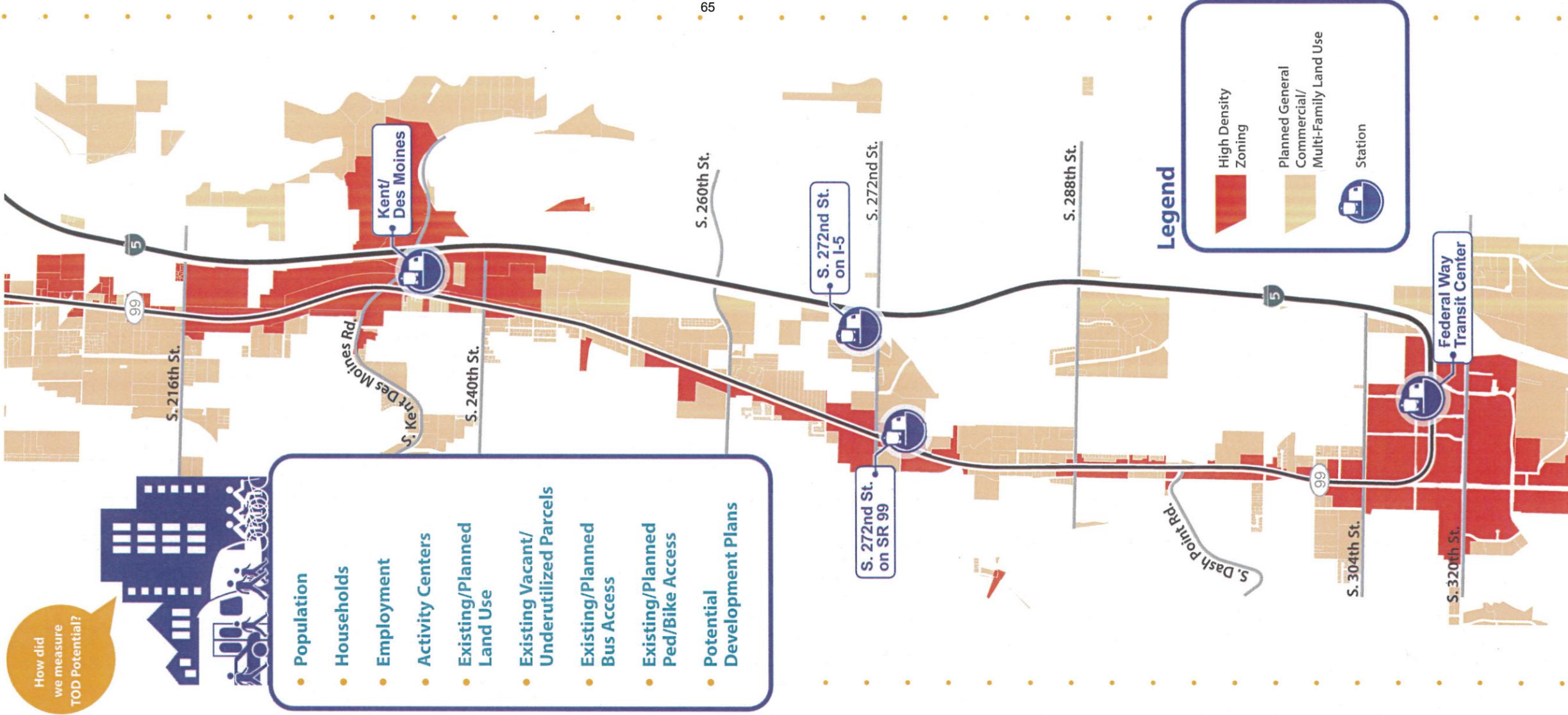
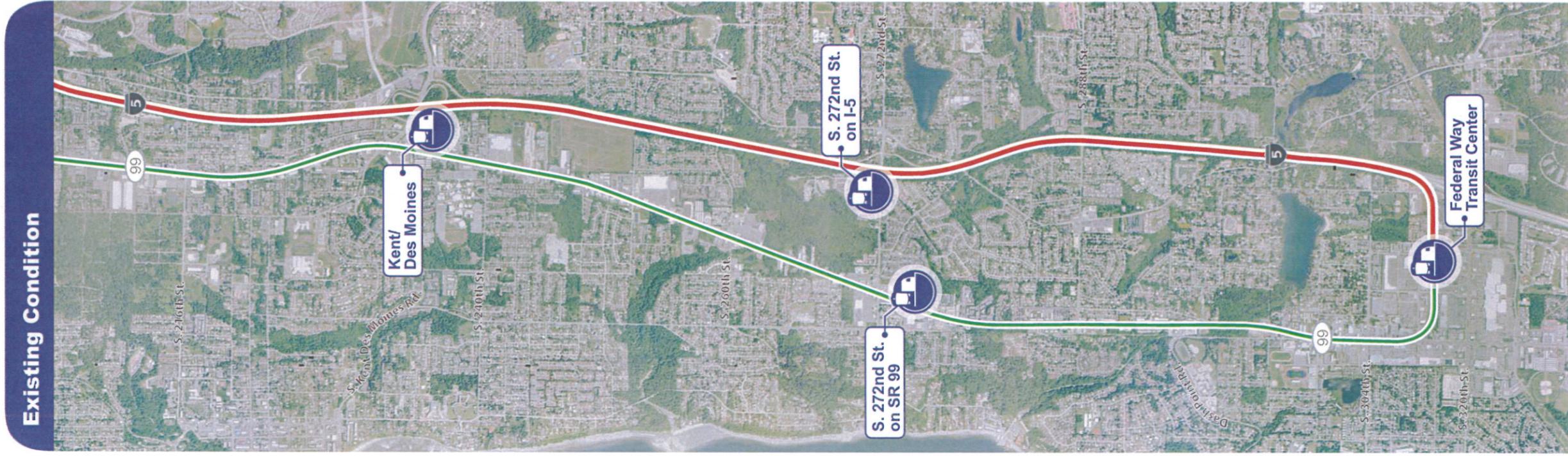
## Level 2 Evaluation Results



- Population
- Households
- Employment
- Activity Centers
- Existing/Planned Land Use
- Existing Vacant/Underutilized Parcels
- Existing/Planned Bus Access
- Existing/Planned Ped/Bike Access
- Potential Development Plans

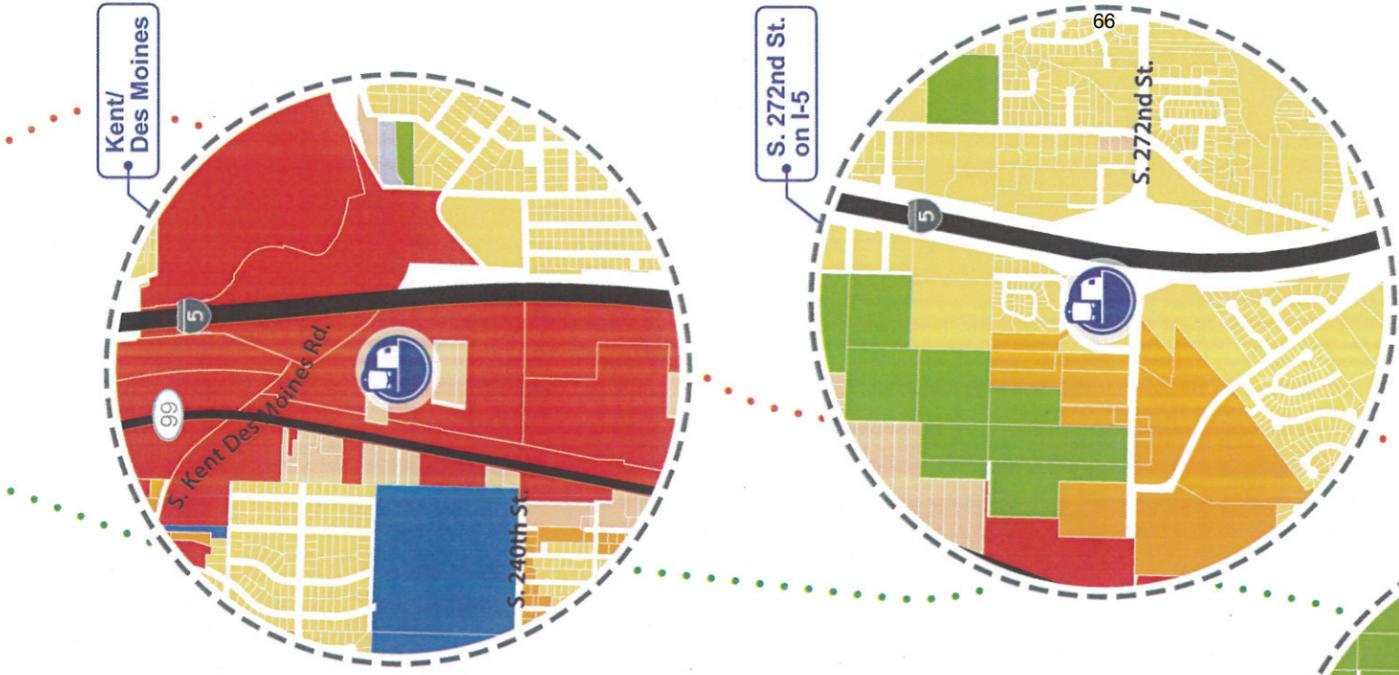
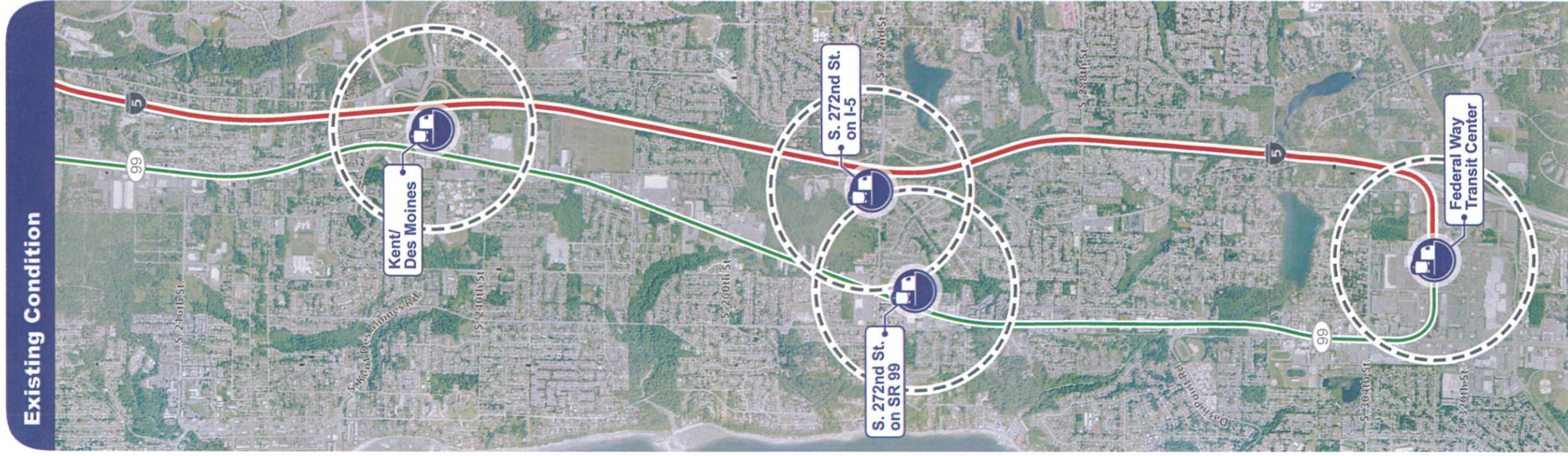
# Federal Way Transit Extension Alternatives Analysis Update

## TOD Potential - Alignments



# Federal Way Transit Extension Alternatives Analysis Update

## TOD Potential - Stations



How did we measure TOD Potential?

- Population
- Households
- Employment
- Activity Centers
- Existing/Planned Land Use
- Existing Vacant/Underutilized Parcels
- Existing/Planned Bus Access
- Existing/Planned Ped/Bike Access
- Potential Development Plans



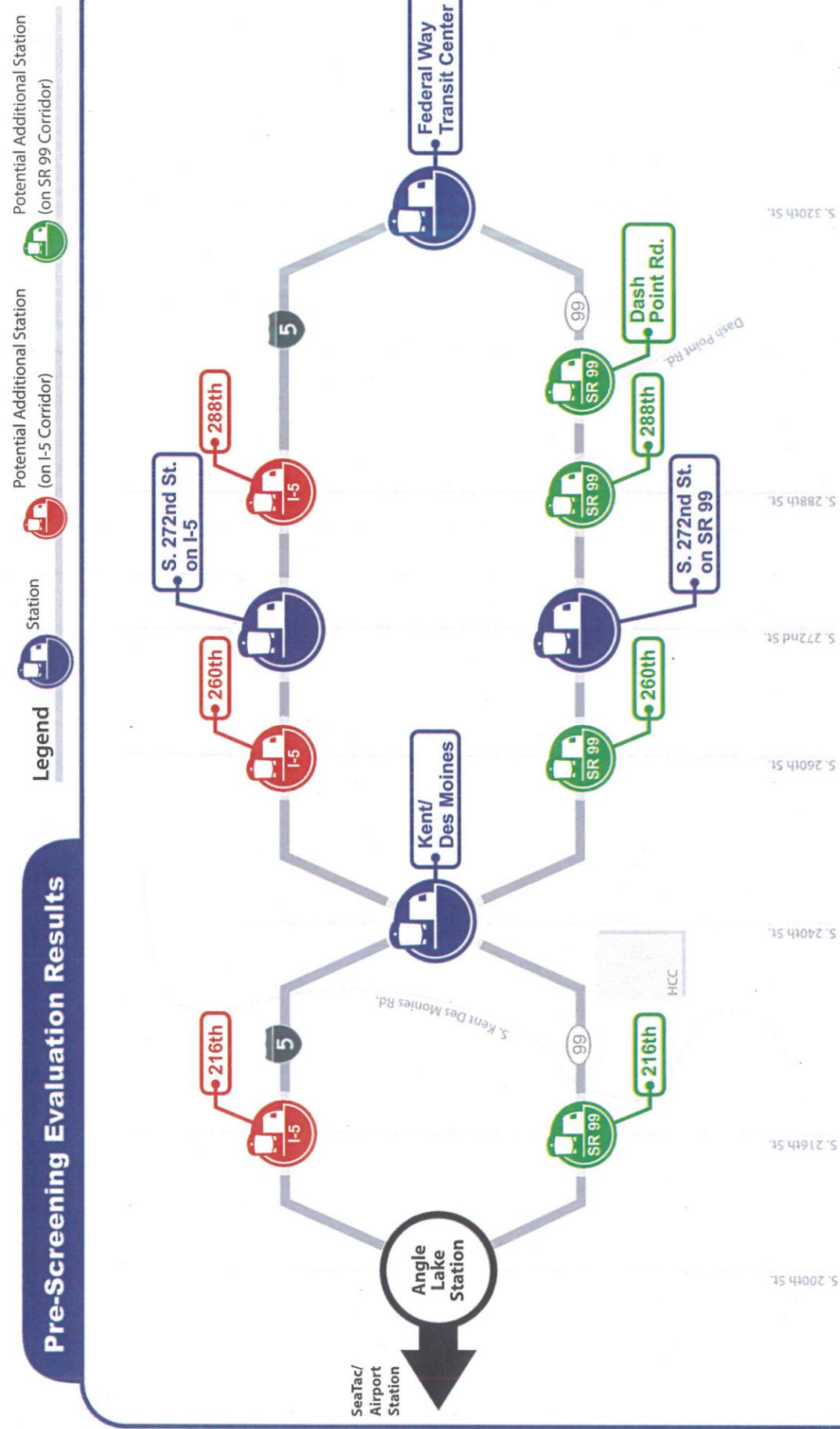
**Legend**

- High Density Zoning
- Planned General Commercial/ Multi-Family Land Use
- Medium/High Density Residential
- Low Density Residential
- Institution
- Park/ Open Space
- Station
- Station Half Mile Radius

# Federal Way Transit Extension Alternatives Analysis Update

## Station Evaluation

### Pre-Screening Evaluation Results

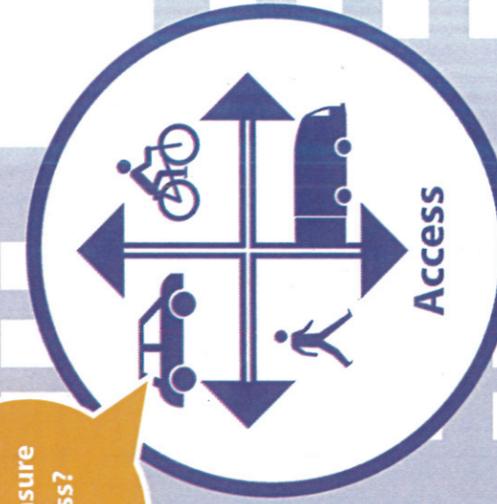


How did we measure TOD Potential?

How did we measure Access?



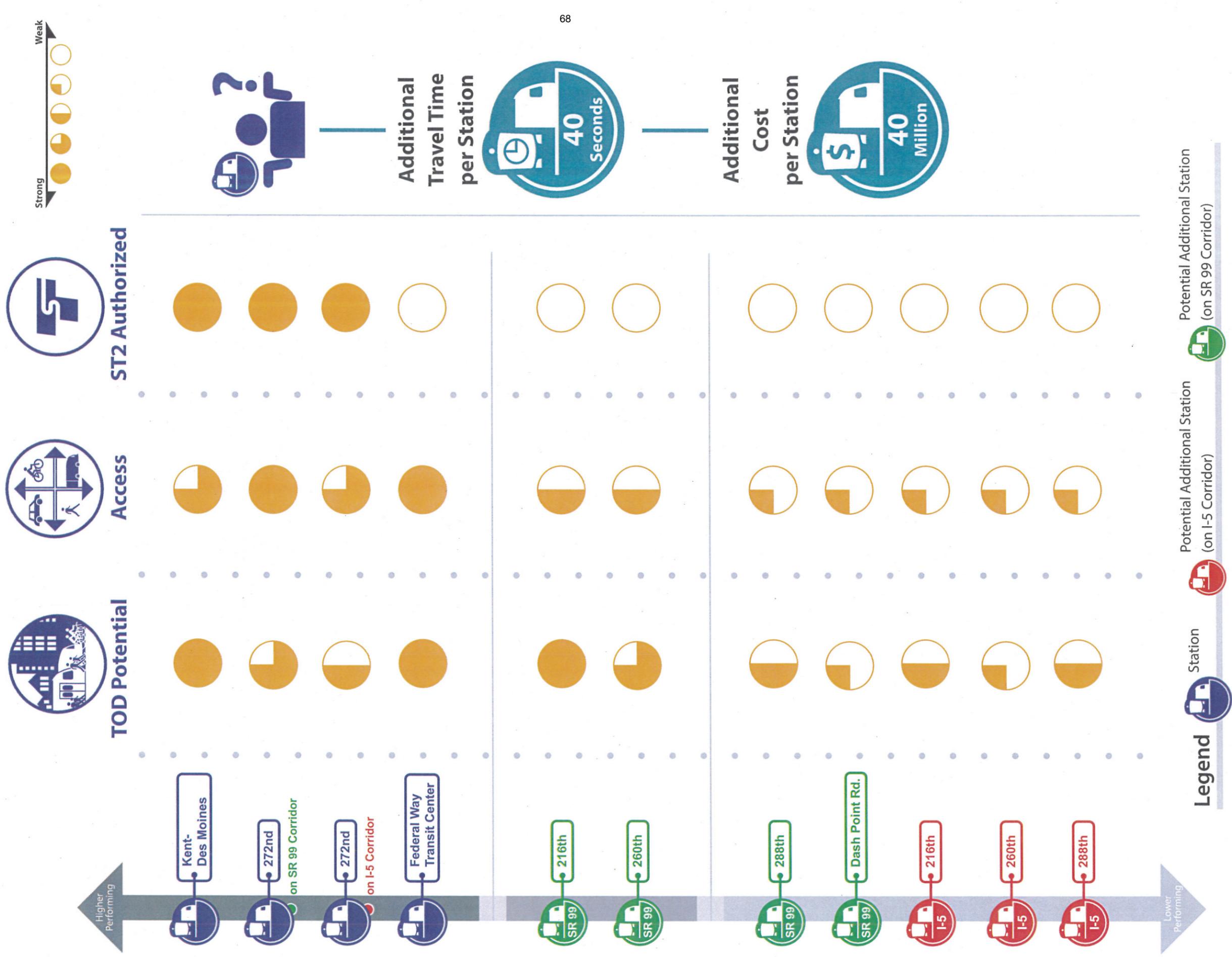
- Population
- Households
- Employment
- Activity Centers
- Existing/Planned Land Use
- Existing Vacant Parcels
- Existing Underutilized Parcels
- Potential Development Plans



- Bus Access
- Ped/Bike Access
- East - West Auto Access
- North - South Auto Access
- Existing Park-and-Ride Capacity

# Federal Way Transit Extension Alternatives Analysis Update

## Station Evaluation Results



Additional stations were evaluated as part of the alternatives analysis process; these stations were not included in the voter-approved ST2 Plan and, if approved, would require additional taxing authority and funding.

June 28, 2013

Sound Transit  
401 S. Jackson Street  
Attn: Kent Hale  
Seattle, WA 98104

**Subject:** *EIS Scoping for the Federal Way Transit Extension*

Dear Mr. Hale:

The City of Des Moines is pleased to provide our Environmental Impact Statement (EIS) scoping comments for the *Federal Way Transit Extension* (FWTE) for Link Light Rail.

Extending Link Light Rail initially to Highline Community College and then on to Federal Way will have a profound effect on our community and neighboring cities. As such, the Des Moines City Council and City staff are committed to working with Sound Transit and our neighbor cities (SeaTac, Kent and Federal Way) to ensure the *Federal Way Transit Extension* meets local and regional interests, fully supports Highline Community College, promotes economic and community development, minimizes impacts on businesses and residents, and maintains the economic vitality and livability of our respective communities.

We have prepared detailed comments organized by topic area (alignments, station locations and system needs/operations) that are provided as Attachment 1 to this letter. Key considerations for Sound Transit to keep in mind as potential alignments and station locations are analyzed include:

- The City's long standing and adopted Comprehensive Plan and Council policy, which calls for light rail alignment along the I-5 corridor through Pacific Ridge. An I-5 alignment should not, however, compromise or conflict with a future SR509 extension and associated I-5 collector distributor project.
- The City's willingness to consider an alternative alignment through Pacific Ridge if a light rail stop is eventually provided in the vicinity of South 216<sup>th</sup> Street, which would serve a major employment and population center in Des Moines.
- Immediate proximity to the Highline Community College campus, preferably in the vicinity of SR99 and South 240<sup>th</sup> Street as the College has requested.
- Support for an eventual stop in the vicinity of South 260<sup>th</sup> and a full station in the Redondo area on SR99 to serve the Woodmont and Redondo neighborhoods and facilitate more dense transit oriented development at those locations and along the SR99 corridor.
- The City's commitment to ensure the light rail alignment does not diminish the economic value of prime under-developed commercial properties in Des Moines and Kent that are expected to begin redeveloping over the next decade.

We look forward to our continued collaboration with Sound Transit. Please feel free to contact me or City Manager Tony Piasecki if you have questions about our comments.

Sincerely,

Dave Kaplan, Mayor

- C: Matt Pina, Mayor Pro-tem
- Jeanette Burrage, Councilmember
- Carmen Scott, Councilmember
- Jeremy Nutting, Councilmember
- Melissa Musser, Councilmember
- Bob Sheckler, Councilmember
- Tony Piasecki, City Manager

## Attachment 1:

The City of Des Moines has identified the following EIS scoping comments for Sound Transit to consider as it analyzes identified alternative alignments and station locations during the environmental review of the Federal Way Transit Extension:

### Alignment Impacts

- Neighborhood and economic development benefits, potential, costs and preferences for the Cities of Des Moines, SeaTac, Kent, and Federal Way and Highline Community College (HCC):
  - transition from South 200<sup>th</sup> Street Station to SR 99 or I-5
  - transition to and from Kent-Des Moines Road/HCC Station
  - transition to and from Redondo Station
  - possibility of additional stops at South 216<sup>th</sup> and South 260<sup>th</sup> Streets
- Practicality of routes based on engineering feasibility, cost, economic impacts and system operations (speed, ridership, travel times)
- Physical constraints/opportunities of topography – what can be done to take advantage of the elevation changes and minimize the tightness of curves
- Economic benefits and disadvantages of alignments:
  - impacts to commercial properties
    - Des Moines' largest commercial properties located between South 216<sup>th</sup> and South 208<sup>th</sup> on both SR99 and 24<sup>th</sup> Avenue S.
    - Numerous un- or under-developed parcels along SR 99 South from South 216<sup>th</sup> Street to South 272<sup>nd</sup> Street, but especially in Pacific Ridge
  - community, economic development, transportation and traffic impacts of elevated alignment
  - impacts of interim end-of-line station at Kent-Des Moines Road/HCC Station
- SR 99 alignment
  - on-going and expected city investments in right of way improvements at the SR99/ S. 216<sup>th</sup> intersection north to 29<sup>th</sup> Ave. S and on the S. 24<sup>th</sup>/28<sup>th</sup> corridors from S. 216<sup>th</sup> to S. 200<sup>th</sup> by Des Moines and SeaTac expected before 2023
  - if a stop at South 216<sup>th</sup> Street – the potential transit oriented development density and economic benefits that might be realized
  - if no stop at South 216<sup>th</sup> Street – evaluate the lost opportunity benefits if no transit oriented development at this node which serves a major population and employment center and low income residents
  - impacts on the viability of existing and future commercial properties
  - premium view blockage
  - noise
- If there is no stop at South 216<sup>th</sup> Street, the City-adopted comprehensive plan for an SR 509/I-5 alignment to minimize impacts on commercial properties and poor neighborhoods.
- 30<sup>th</sup> Avenue South alignment

- bisects the Pacific Ridge Neighborhood, already the most disadvantaged and crime-prone in Des Moines
- net negative financial/economic/property value/social impact of an elevated structure as weighed against the positive financial/economic/property value/social benefit to neighborhood
- SR 509/I-5 alignment
  - opportunities to follow existing alignment and connect to existing park and ride lots
  - disconnected from commercial centers
  - lost opportunities for transit oriented development and place making along the SR99 corridor if additional well-spaced stops are added
  - impacts if Metro Transit system cannot integrate and enhance its connecting east-west services to stations and stops
- Kent-Des Moines Road Crossing and SR99 intersections
  - reductions in level of service
- Potential Transit Oriented Development (TOD) model
  - Analysis must differentiate between and not assume that TOD will occur adjacent to alignment outside the ¼ to ½ mile pedestrian range of stops or stations. e.g., there will be almost no TOD benefit to areas beyond ½ mile of a station even if development is contiguous to an elevated guideway

### **Station Locations**

- South 216<sup>th</sup> is a major hub with Artemis Hotel, Des Moines Creek Business Park and other potential development within ½ miles of this intersection
- Light Rail stop seems warranted at South 216<sup>th</sup>
  - significant employment and population growth projected for this area
  - serves economically distressed and ethnically diverse neighborhoods where transit is the primary means to access jobs and services
  - impacted by METRO service cuts
  - Spacing between stations seems consistent with those in Rainier Valley
- Highline Community College is also a major hub – the biggest between Sea-Tac Airport and the Federal Way Transit Center. The station location MUST be pedestrian and disabled friendly
- Station areas around Highline Community College and S 272<sup>nd</sup> also serve diverse populations that rely on transit and access to jobs

### **System Needs/Operations**

- Impact of no parking at South 216<sup>th</sup> versus a full station/hub (e.g., HCC and South 272<sup>nd</sup> Street)
- Existing parking problems at Highline Community College
  - how much ST-provided parking would be needed, both long term and as interim end of the line?
  - where would it be located (land supply)?

- Impacts associated with the interim terminus location at Highline Community College such as rail spur, storage, maintenance and parking demand
- Possibility of transit-only connecting road between SR 99/KDM – cut corner and facilitate east-west connection with the Kent Valley and East Hill
- Park and Ride Lot (Military Road/I-5) as a potential supplement to HCC station parking with improved transit connections or shuttle
- Existing and improved east-west transit connections w/ King County METRO at S 272<sup>nd</sup> (Star Lake) to help meet parking demands for SR99 Station in the vicinity of Redondo Park & Ride.

DRAFT





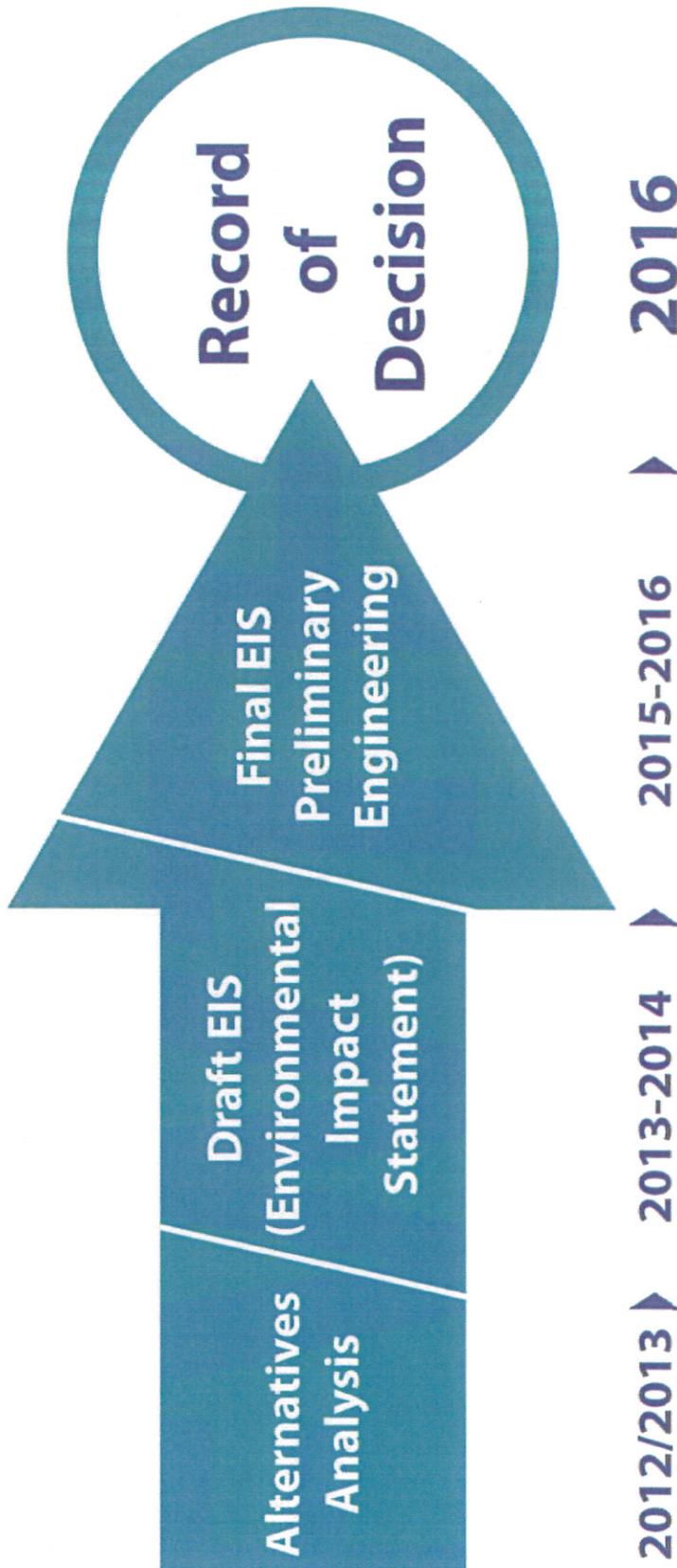
# Federal Way Transit Extension

## Alternatives Analysis Summary

June 2013



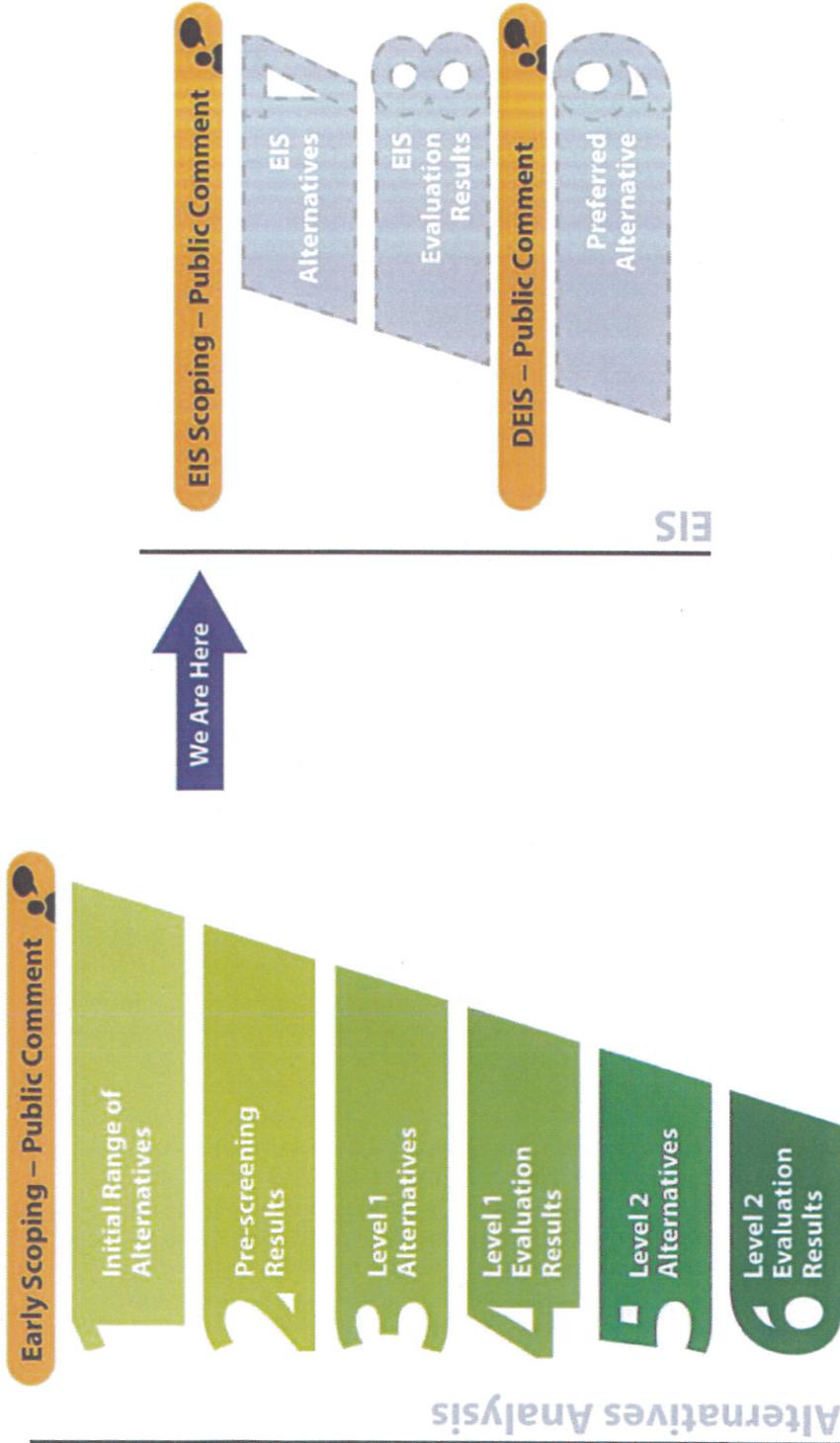
Sound Transit is evaluating alternatives to extend high capacity transit from the future Angle Lake light rail station on South 200th Street in SeaTac to the Federal Way Transit Center.



The Alternatives Analysis (AA) phase is almost done. It will be followed by a Draft Environmental Impact Statement (EIS) phase through 2014, and a Final EIS phase through mid-2016. The environmental review process will conclude with a Record of Decision from the Federal Transit Administration in late 2016.

# Federal Way Transit Extension Alternatives Analysis Summary

## Alternatives Analysis Process



Sound Transit began the AA phase with an Early Scoping public comment period in October 2012. The results of the AA are now available and will be presented to the public during the EIS Scoping period in June 2013.

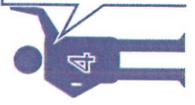
# Federal Way Transit Extension Alternatives Analysis Summary

## Initial Range of Alternative Corridors



**Legend**

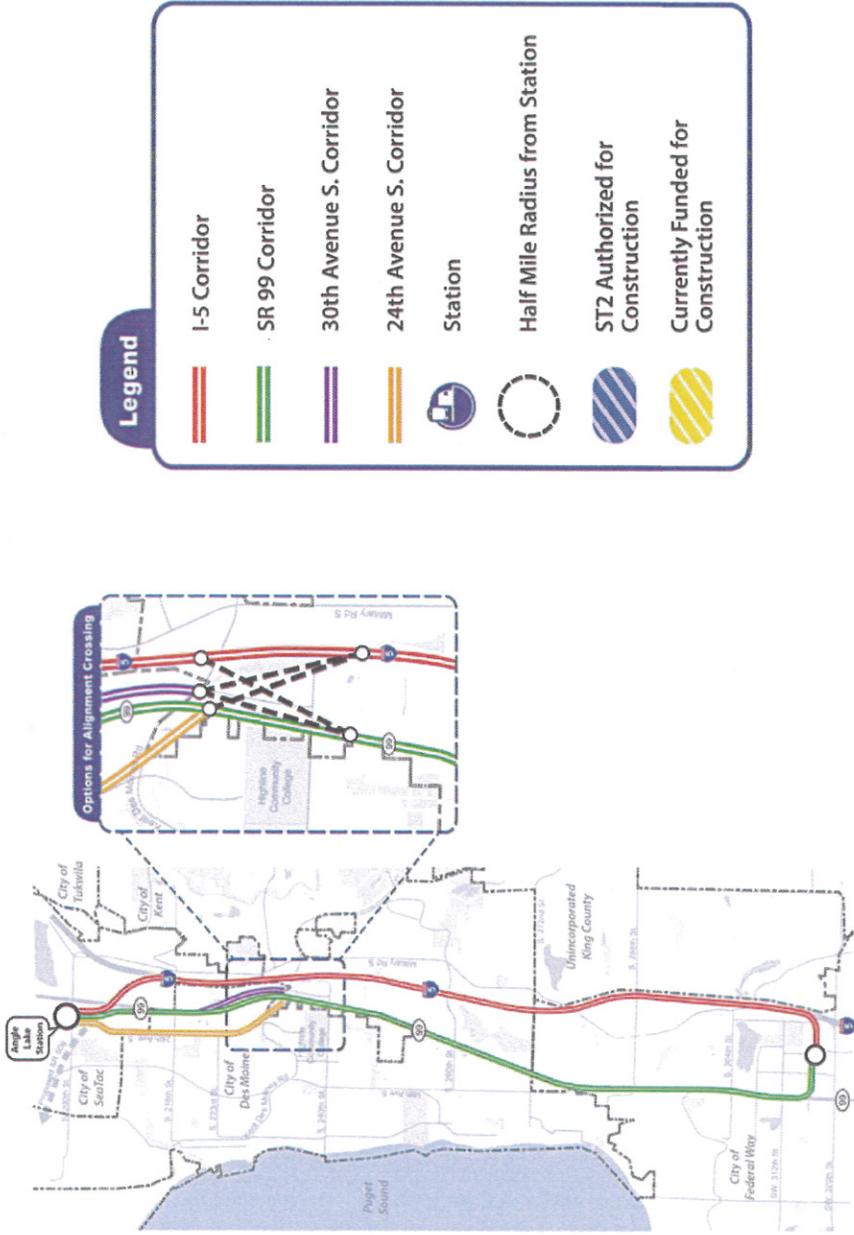
- I-5 Corridor
- SR 99 Corridor
- 30th Avenue S. Corridor
- 24th Avenue S. Corridor
- Station
- Half Mile Radius from Station
- ST2 Authorized for Construction
- Currently Funded for Construction



Based on public input during the Early Scoping public comment period, Sound Transit studied alternatives along the I-5 Corridor, SR 99 Corridor, as well as along 24th Avenue South and 30th Avenue South in the City of Des Moines.

# Federal Way Transit Extension Alternatives Analysis Summary

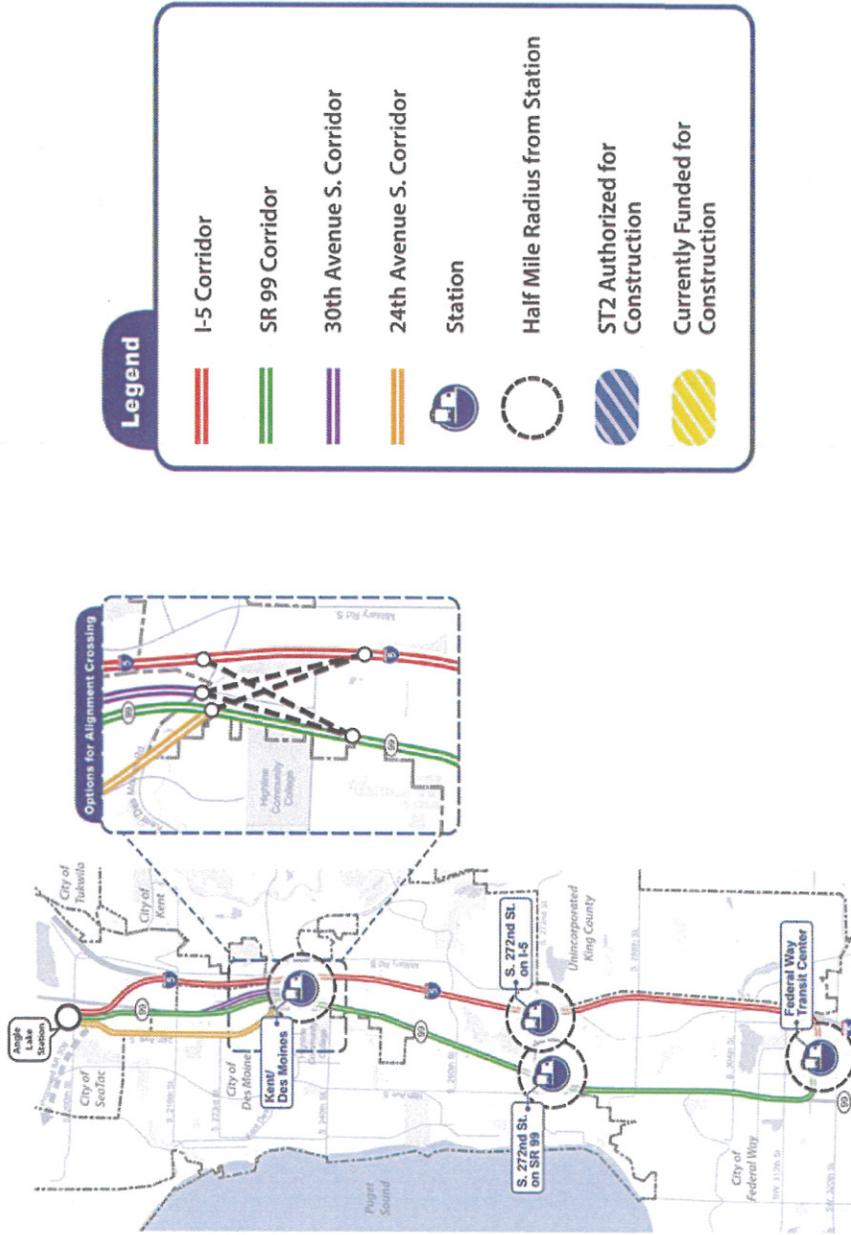
## Initial Range of Alternative Corridors



In the Kent/Des Moines area, the alignment could potentially transition from one corridor to another. The enlarged box shows potential crossing options.

# Federal Way Transit Extension Alternatives Analysis Summary

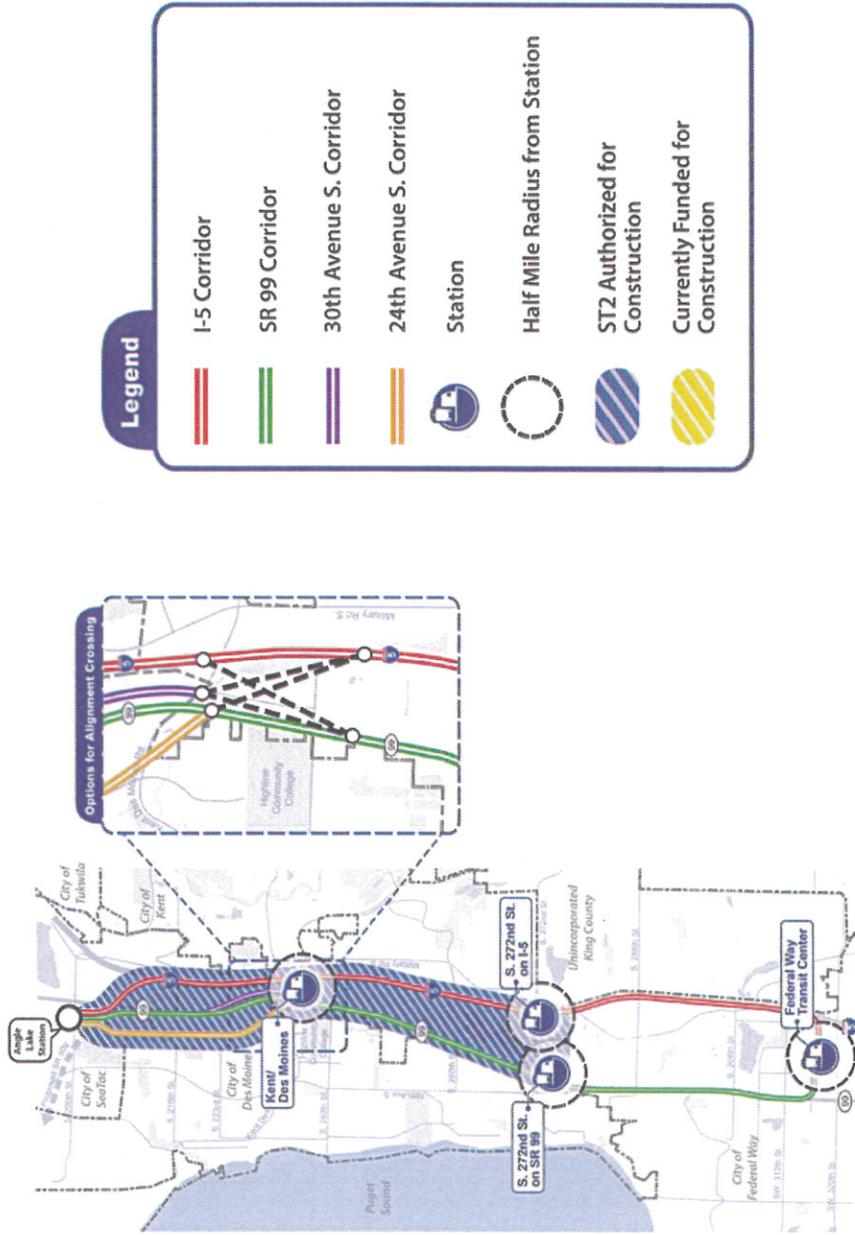
## Initial Range of Alternative Corridors



Previous planning identified potential station locations at Kent/Des Moines (in the vicinity of Highline Community College), South 272nd Street (Redondo or Star Lake park-and-rides), and the Federal Way Transit Center.

# Federal Way Transit Extension Alternatives Analysis Summary

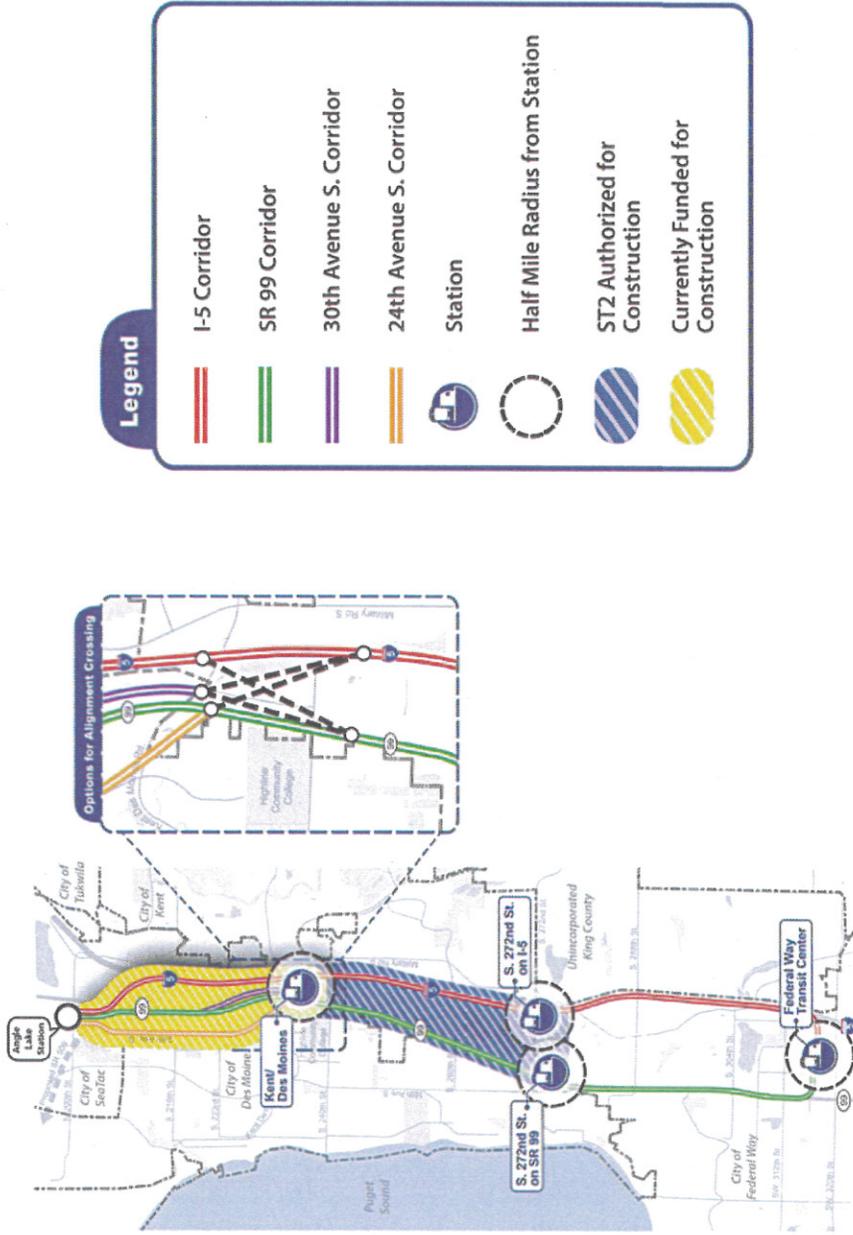
## Initial Range of Alternative Corridors



The Sound Transit 2 Plan, which was approved by the voters in 2008, included funding to build light rail as far as South 272nd Street on the border of Federal Way.

# Federal Way Transit Extension Alternatives Analysis Summary

## Initial Range of Alternative Corridors

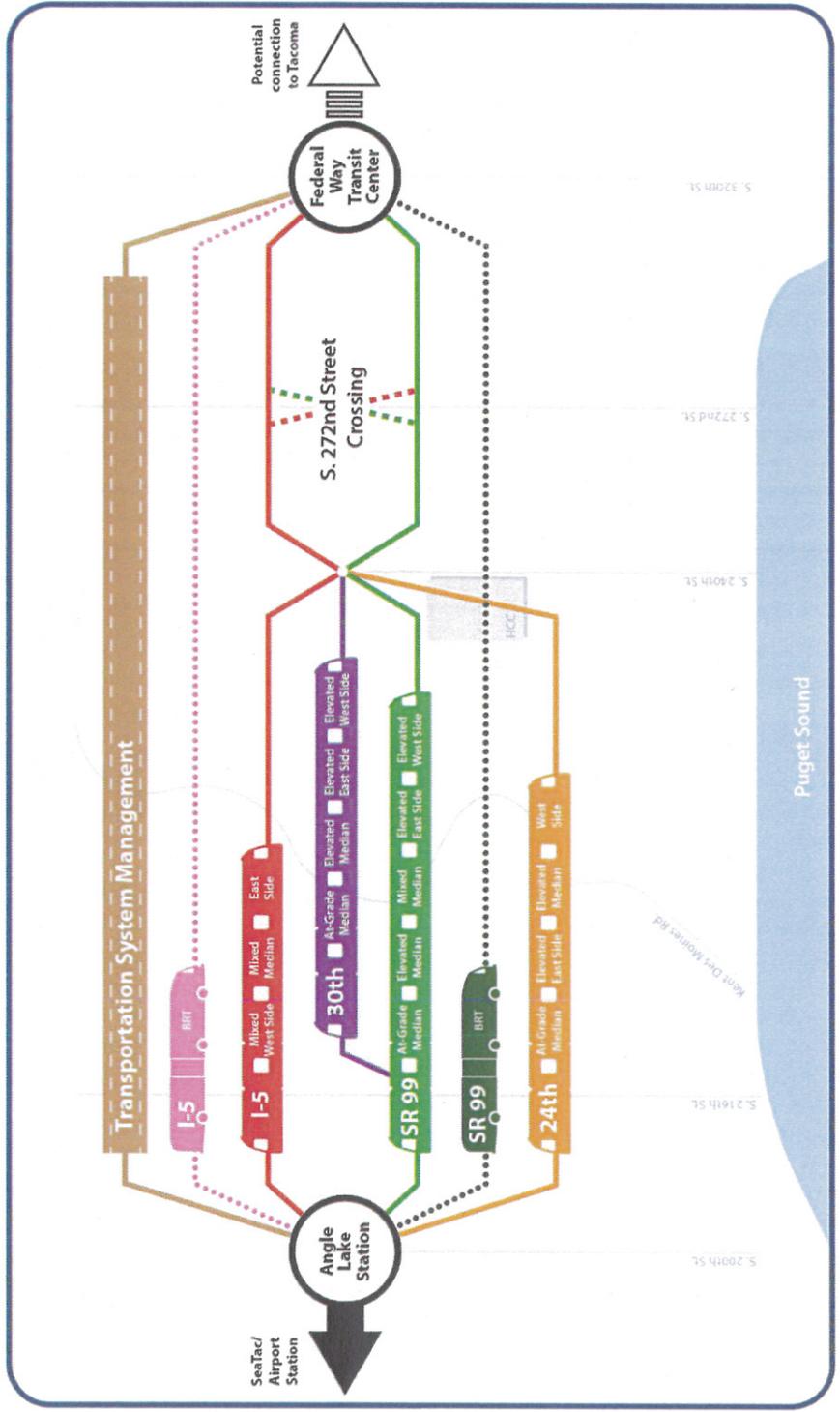


Based on current revenue forecasts, Sound Transit has enough funding to build light rail to Kent/Des Moines and is working to ensure that the segment to the Federal Way Transit Center is ready for construction once funding is secured.



# Federal Way Transit Extension Alternatives Analysis Summary

Initial Range of Alternatives

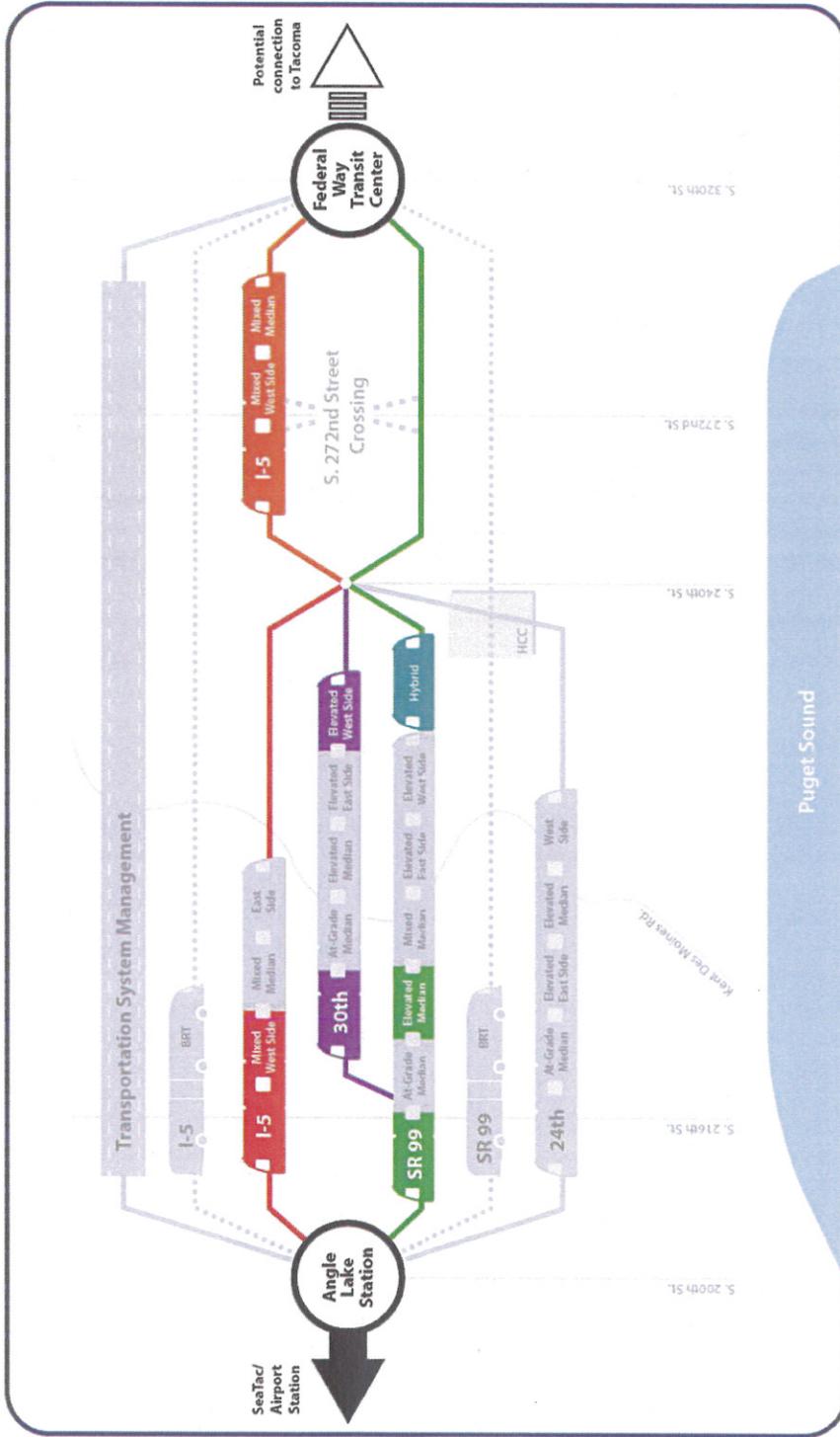


Alternatives suggested during the Early Scoping public comment period included light rail alignments on I-5, SR 99, 24th Avenue South and 30th Avenue South, as well as Bus Rapid Transit (BRT) on I-5 and SR 99, and improvements to the existing transportation system (TSM).

# Federal Way Transit Extension Alternatives Analysis Summary



## Level 1 Evaluation Results



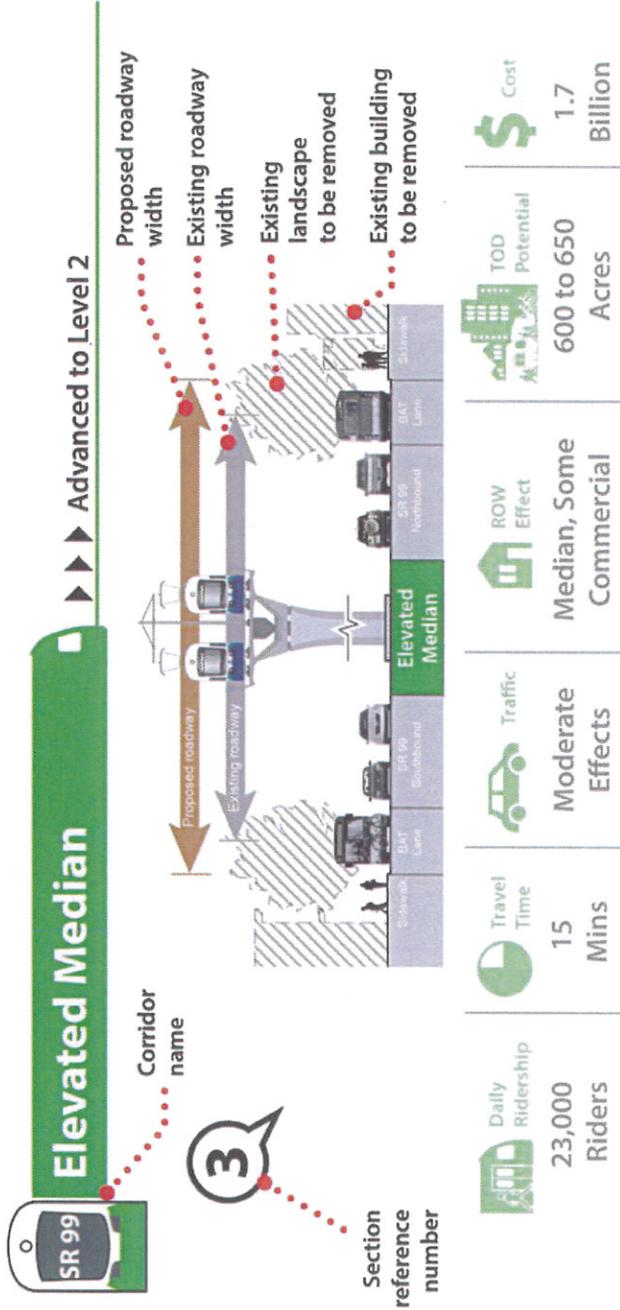
Following pre-screening of the alternatives, and a Level 1 evaluation, five light rail alignment alternatives were advanced for further evaluation in the Level 2 analysis. Previous planning in the corridor, such as the Regional Transit Long Range Plan, evaluated several transit modes and recommended light rail. Bus and BRT alternatives were considered again but not advanced because they would have a slower travel time, less ridership capacity, and would not as effectively accommodate future population growth and transit demand in the corridor.



# Federal Way Transit Extension Alternatives Analysis Summary



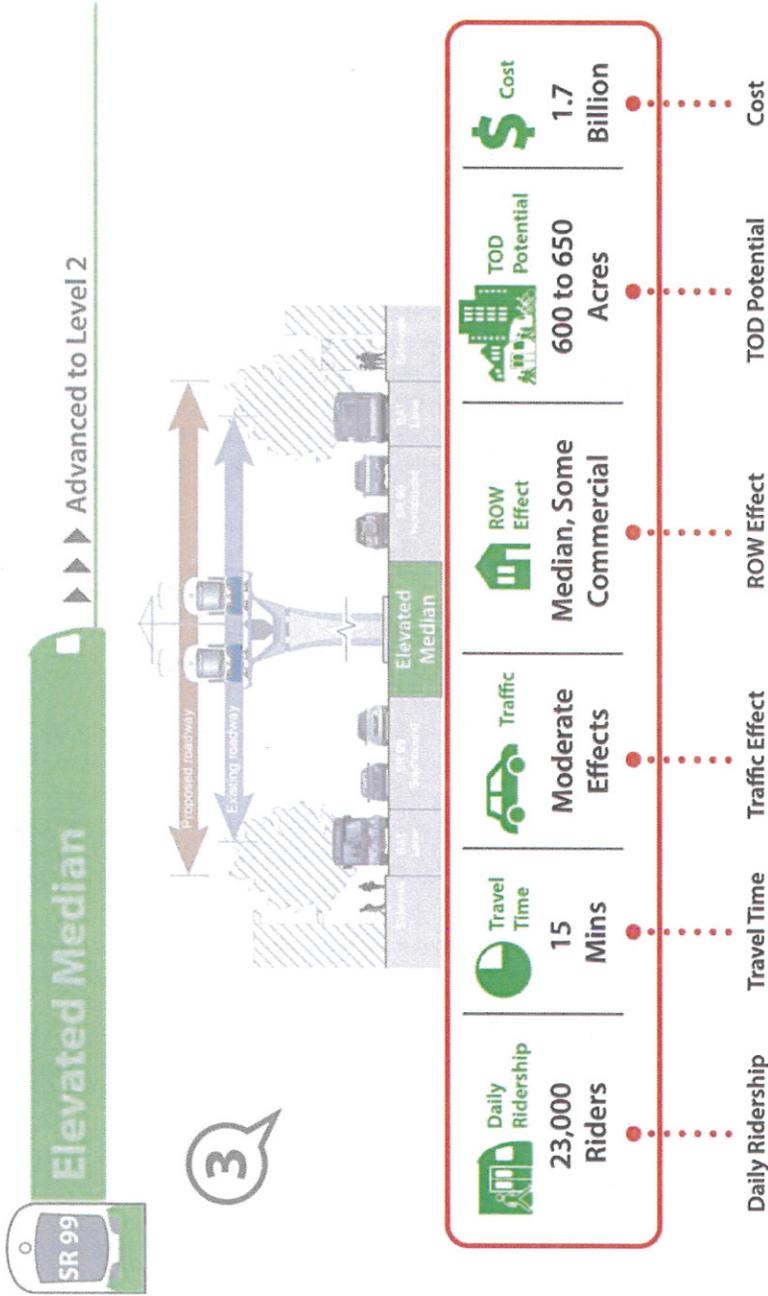
How to Read Typical Section



Representative cross sections are shown for each of the five alternatives that advanced to Level 2. Each cross section provides a schematic representation of how the light rail alignment would affect existing roadway widths, existing landscaping, and adjacent buildings.

# Federal Way Transit Extension Alternatives Analysis Summary

## How to Read Typical Section

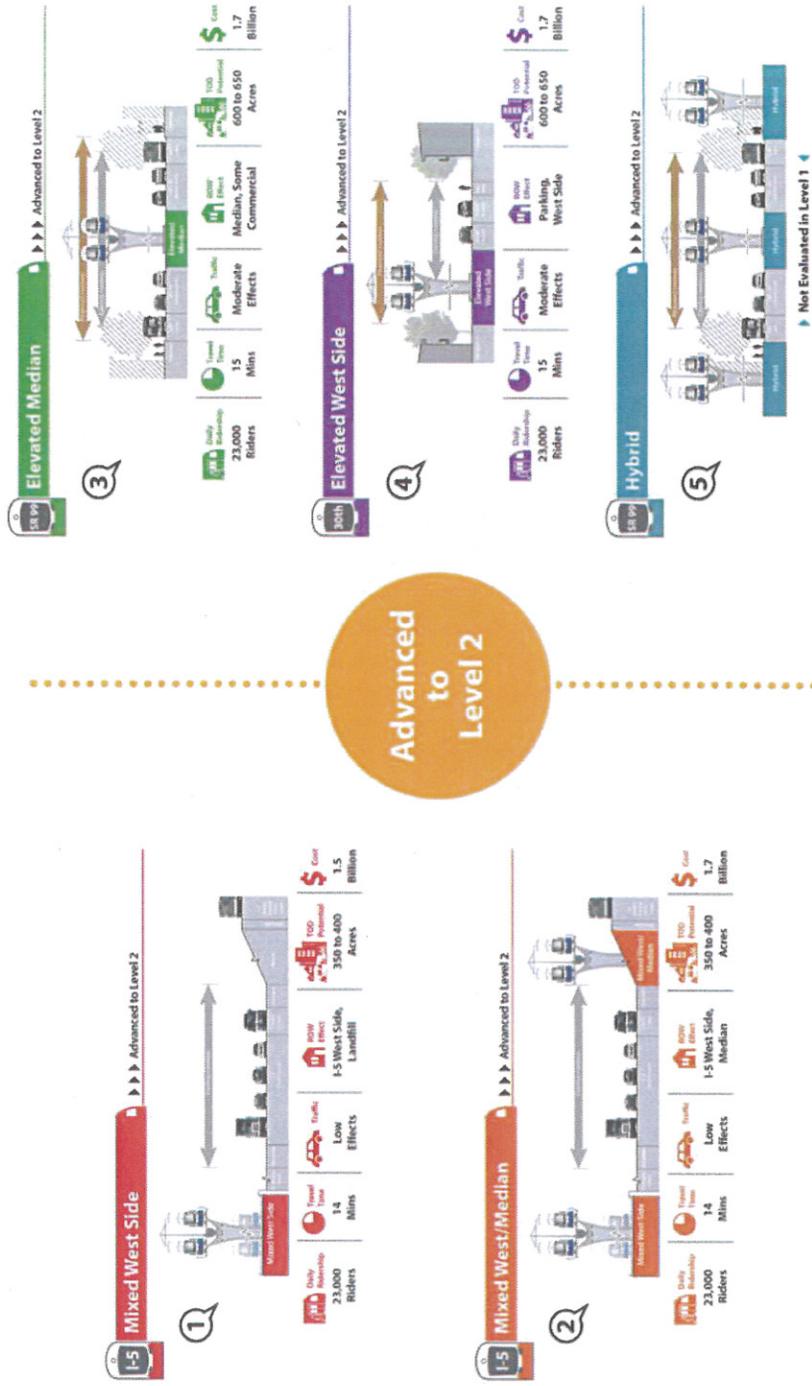


The key measures that differentiated the five remaining alignment alternatives are shown below each cross section.



# Federal Way Transit Extension Alternatives Analysis Summary

## Level 1 Evaluation Results

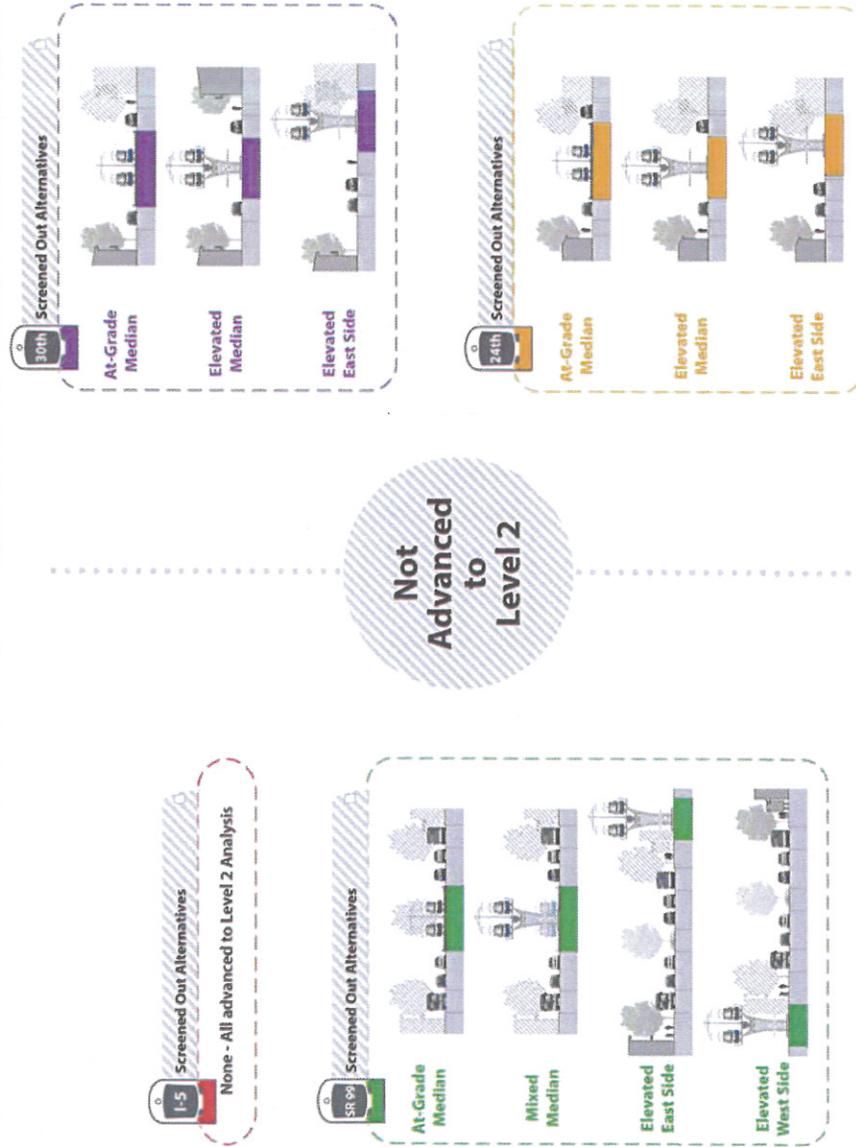


The five cross sections shown represent the alternatives that were proposed for further study in the Level 2 analysis, based on the key findings, the project's purpose and need, and the Level 1 evaluation criteria. All of the alternatives would have similar ridership and travel time. The SR 99 Hybrid alternative was a new alternative that was developed based on information learned during the Level 1 analysis.



# Federal Way Transit Extension Alternatives Analysis Summary

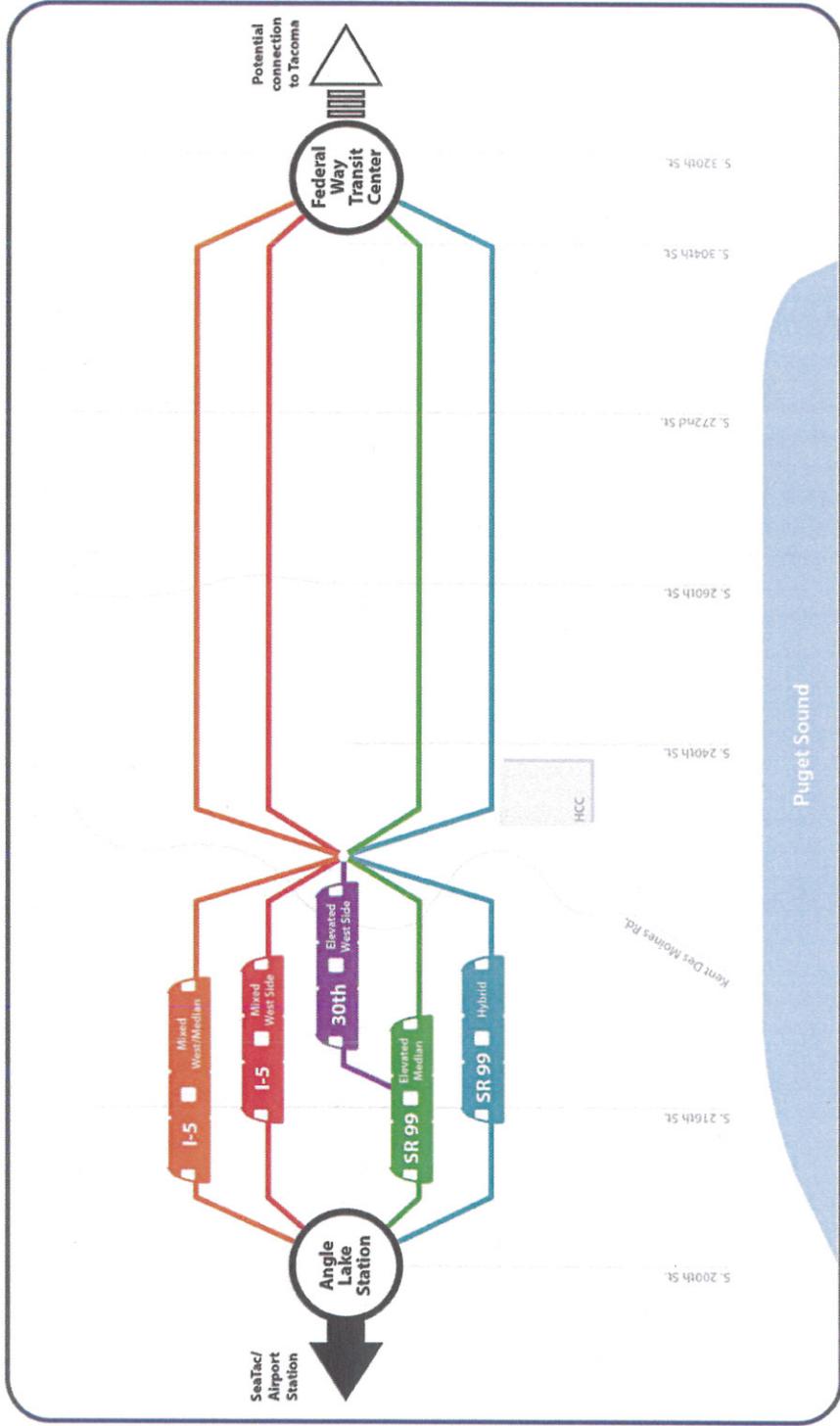
## Level 1 Evaluation Results



These cross sections represent the light rail alternatives that were not proposed for further study in the Level 2 analysis, based on the key findings, the project's purpose and need, and the evaluation criteria. In general, alternatives were not advanced if they had less ridership, a longer travel time, or had greater right-of-way effects.

# Federal Way Transit Extension Alternatives Analysis Summary

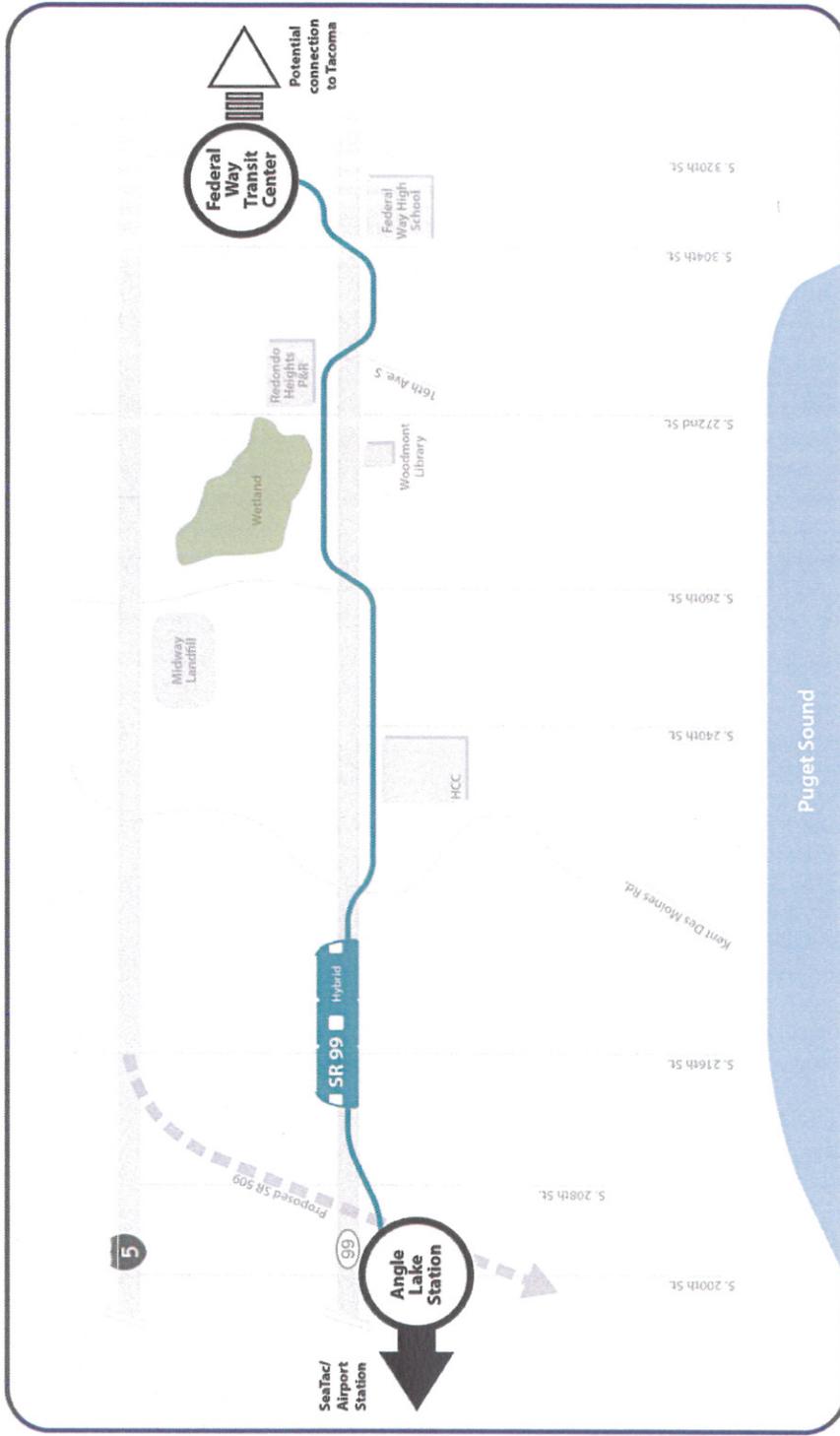
## Level 2 Alternatives



The five alternatives that were further defined and evaluated in the Level 2 evaluation included two alternatives along I-5, one alternative on 30th Avenue South and two alternatives, (including a new hybrid alignment), along SR 99.

# Federal Way Transit Extension Alternatives Analysis Summary

## SR 99 Hybrid Alternative



The Level 1 analysis showed that several standalone alternatives along SR 99 had flaws, but that different segments of the various SR 99 alternatives could work better if combined together into a new 'hybrid' alternative. The hybrid was designed to avoid impacts to key intersections and community facilities, and was informed by considerations such as topography and convenient access to existing park-and-ride lots.

What results were common to all Level 2 alternatives?

Level 2



Over thirty different measures were evaluated to help distinguish the pros and cons of the Level 2 alternatives. A number of the measures yielded results that were common to all the Level 2 alternatives.

# Federal Way Transit Extension Alternatives Analysis Summary

## Level 2 Evaluation Results



What results were common to all Level 2 alternatives?

### Level 2



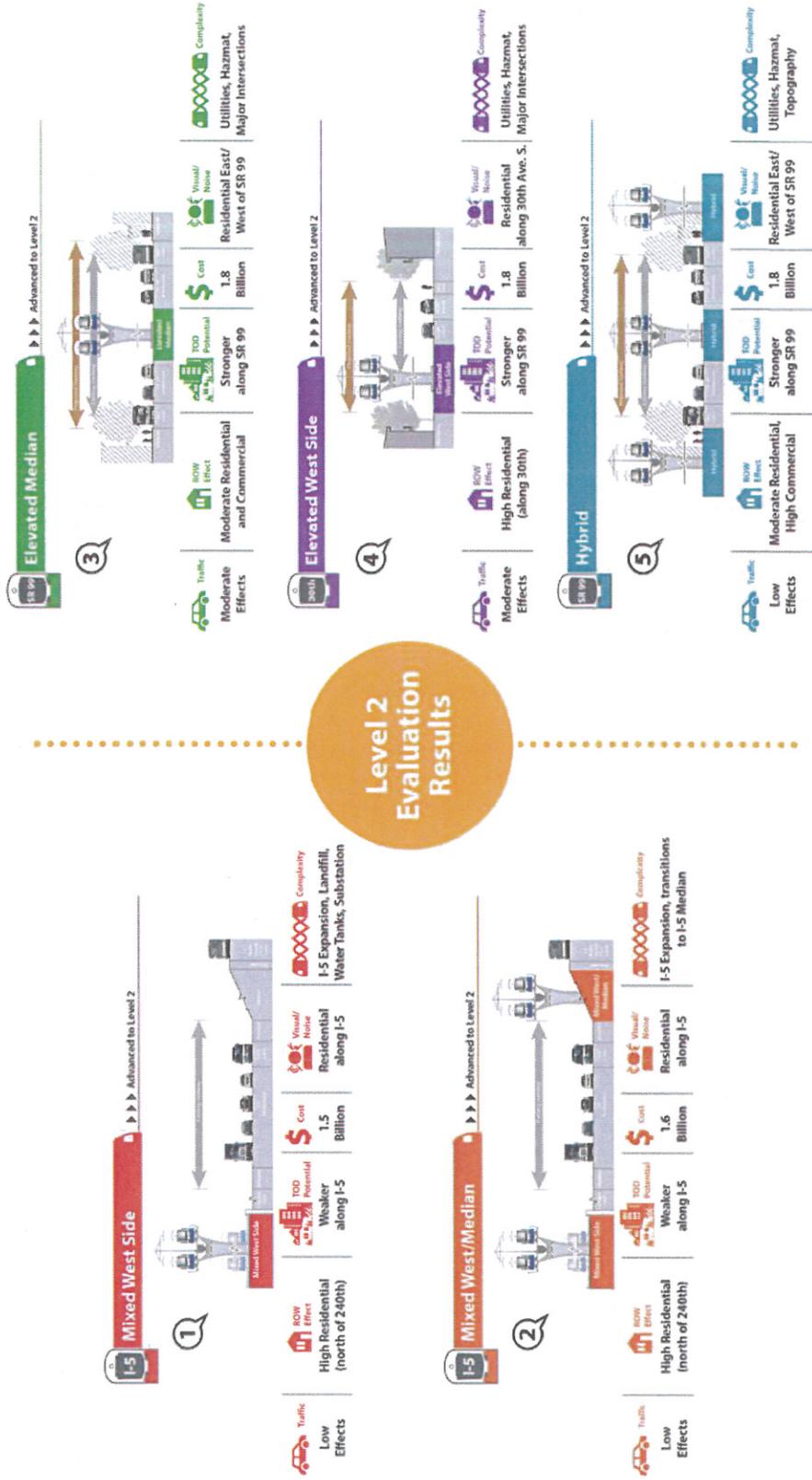
- Daily Ridership  23,000 Riders
- Travel Time  14 to 15 mins
- Population  35,000 to 36,000 people
- Employment  11,000 to 14,000 Jobs
- Households  13,000 to 14,000 Households



Daily ridership and travel time are expected to be about the same for all five of the Level 2 alternatives. The number of people, jobs, and households currently located within a half mile of each alignment are also similar for each alternative.

# Federal Way Transit Extension Alternatives Analysis Summary

## Level 2 Evaluation Results

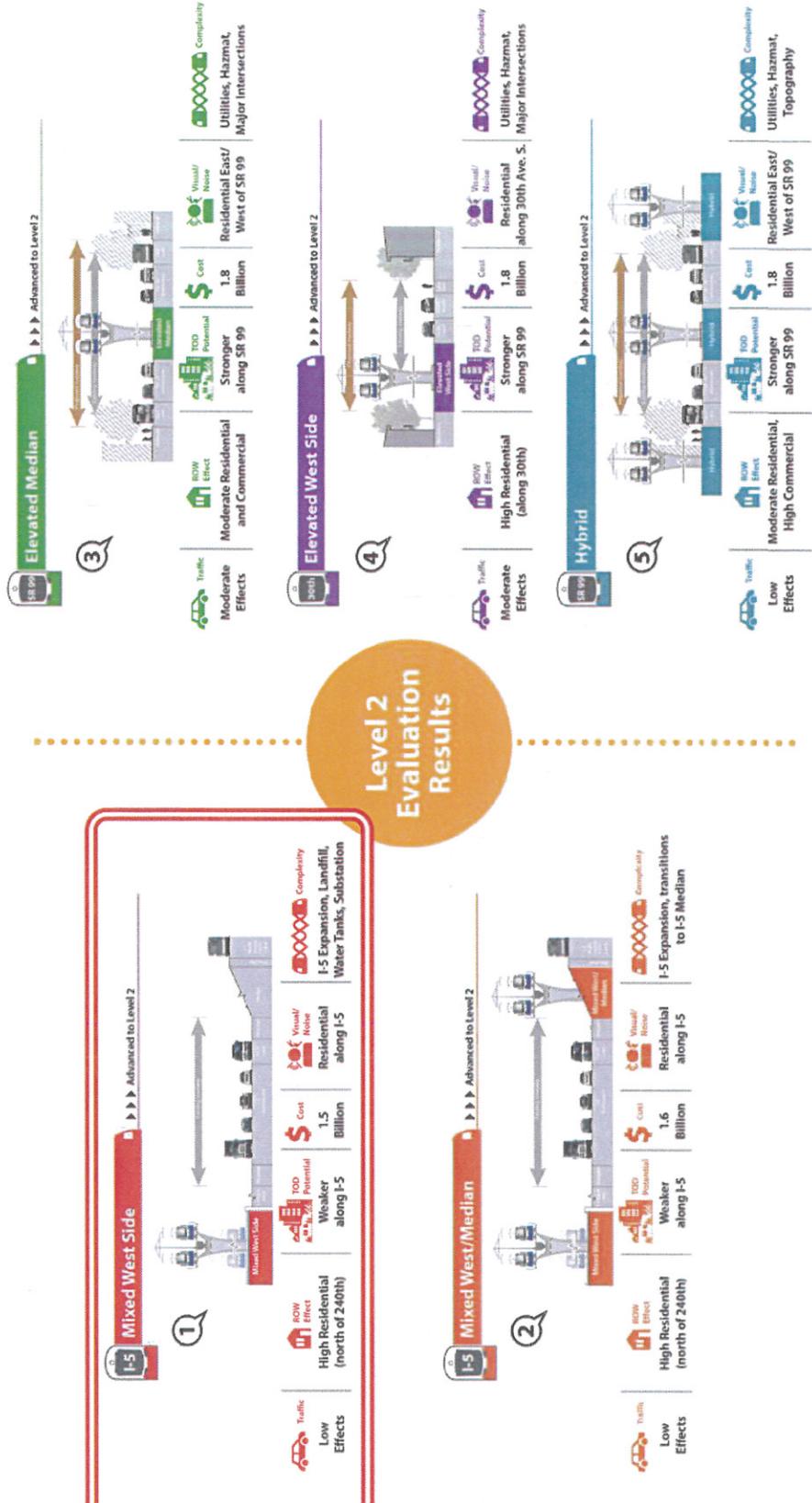


Some of the key distinguishers between the Level 2 alternatives are illustrated in this graphic.



# Federal Way Transit Extension Alternatives Analysis Summary

## Level 2 Evaluation Results

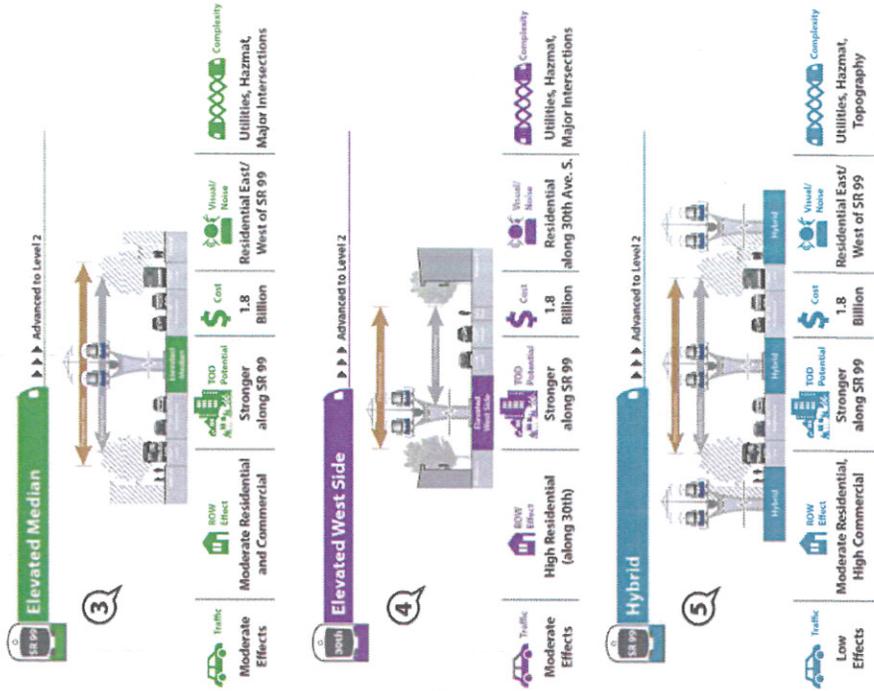


The I-5 Mixed West Side alternative would likely have high residential effects north of South 240th Street and would have weaker transit oriented development (TOD) potential. Engineering challenges could include the Midway landfill south of South 240th Street, and proximity to the Highline Water District storage tanks, and a PSE substation.

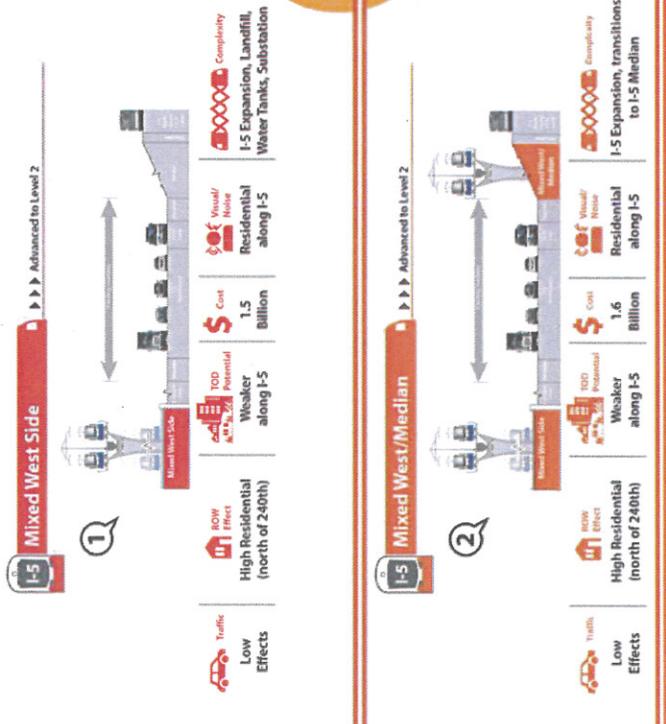


# Federal Way Transit Extension Alternatives Analysis Summary

## Level 2 Evaluation Results



## Level 2 Evaluation Results

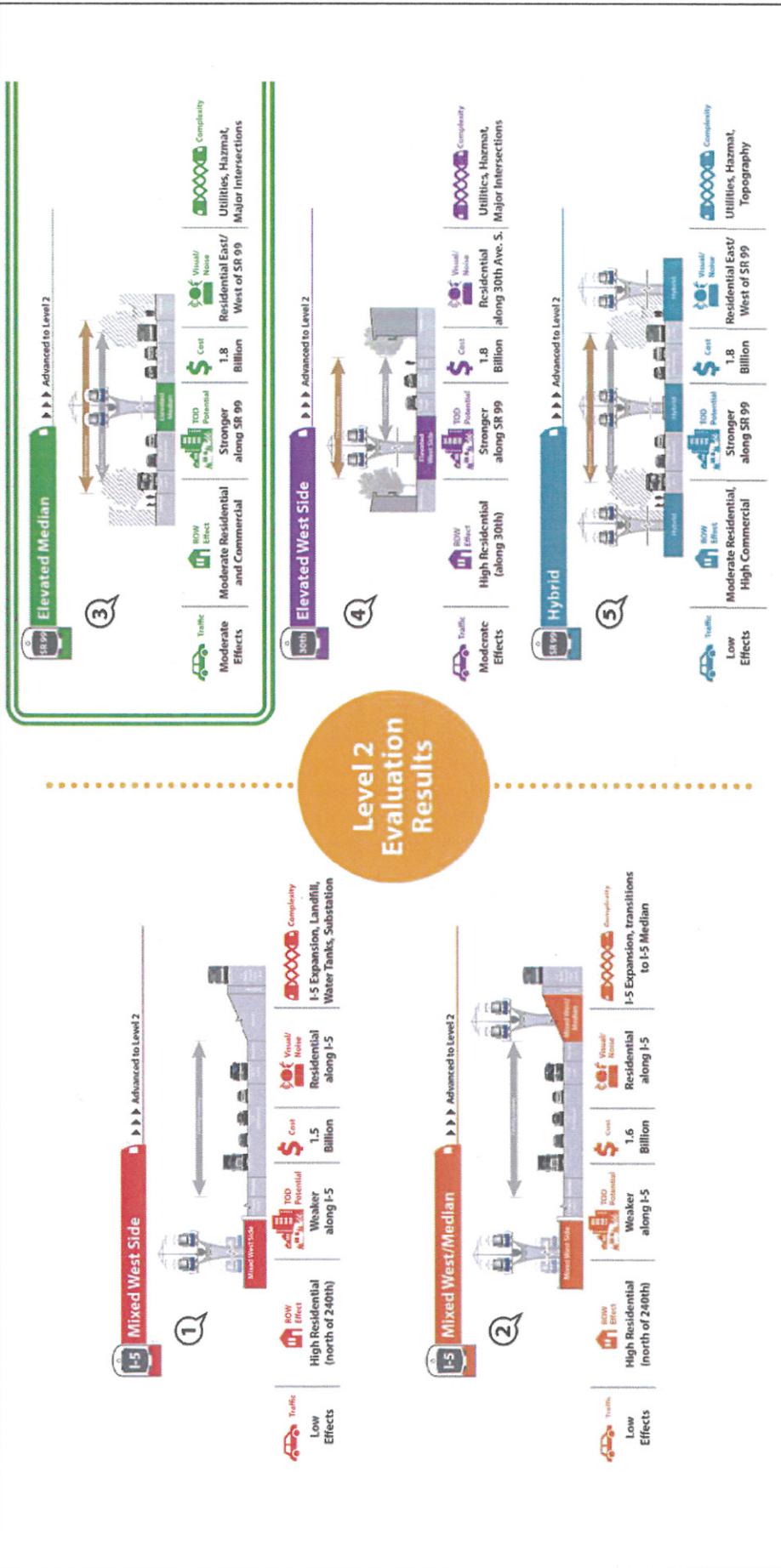


The I-5 Mixed West/Median alternative would also likely have high residential effects north of South 240th Street and weaker TOD potential. It would avoid the Midway landfill but would require large structures to transition to the I-5 median (south of South 240th Street) and then back to the west side at South 272nd Street and the Federal Way Transit Center.



# Federal Way Transit Extension Alternatives Analysis Summary

## Level 2 Evaluation Results

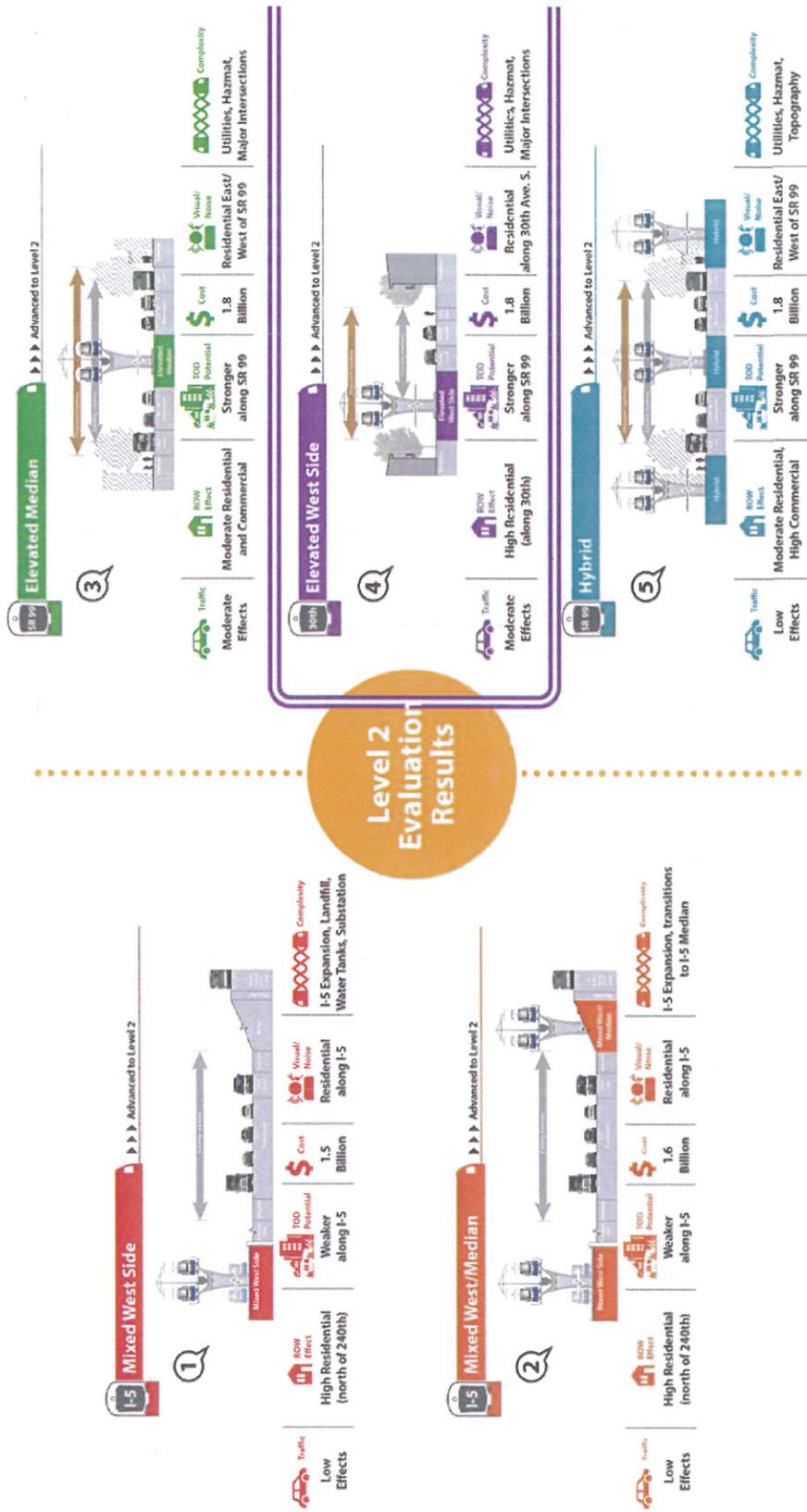


The SR 99 Elevated Median alternative would be located within the median of SR 99. It would have less effect to the roadway and adjacent buildings than other alternatives along SR 99 but would require major construction to cross key intersections along the alignment.



# Federal Way Transit Extension Alternatives Analysis Summary

## Level 2 Evaluation Results

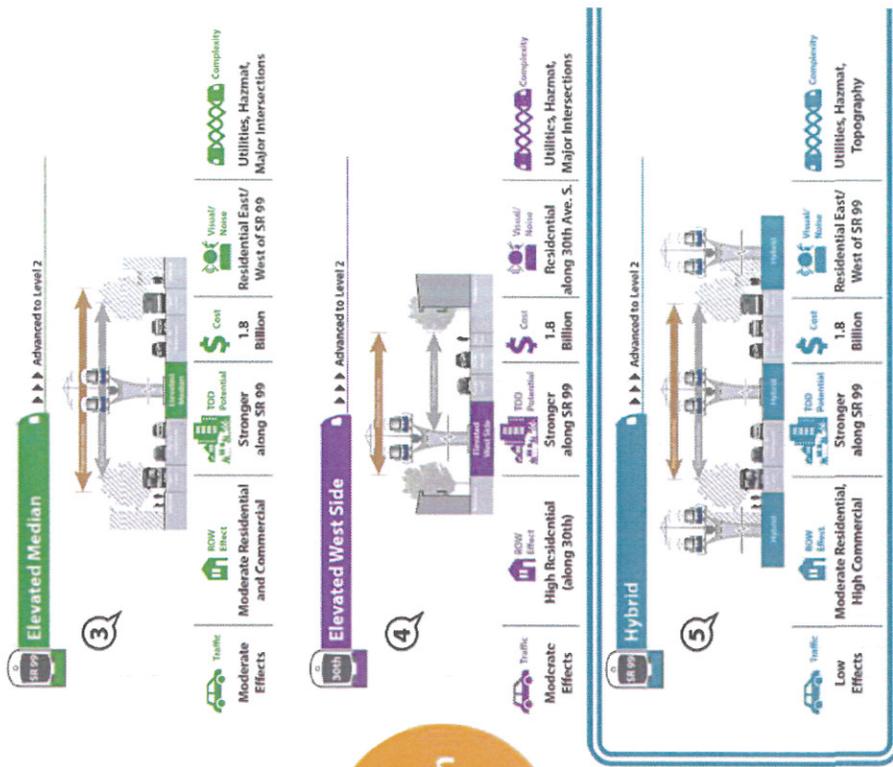


The 30th Avenue South Elevated West Side alternative would transition from SR 99 at about South 220th Street and then continue within the existing parking setback along 30th Avenue South. This alternative would affect commercial and residential properties at the transition point and could have noise and visual effects to properties along 30th Avenue South.

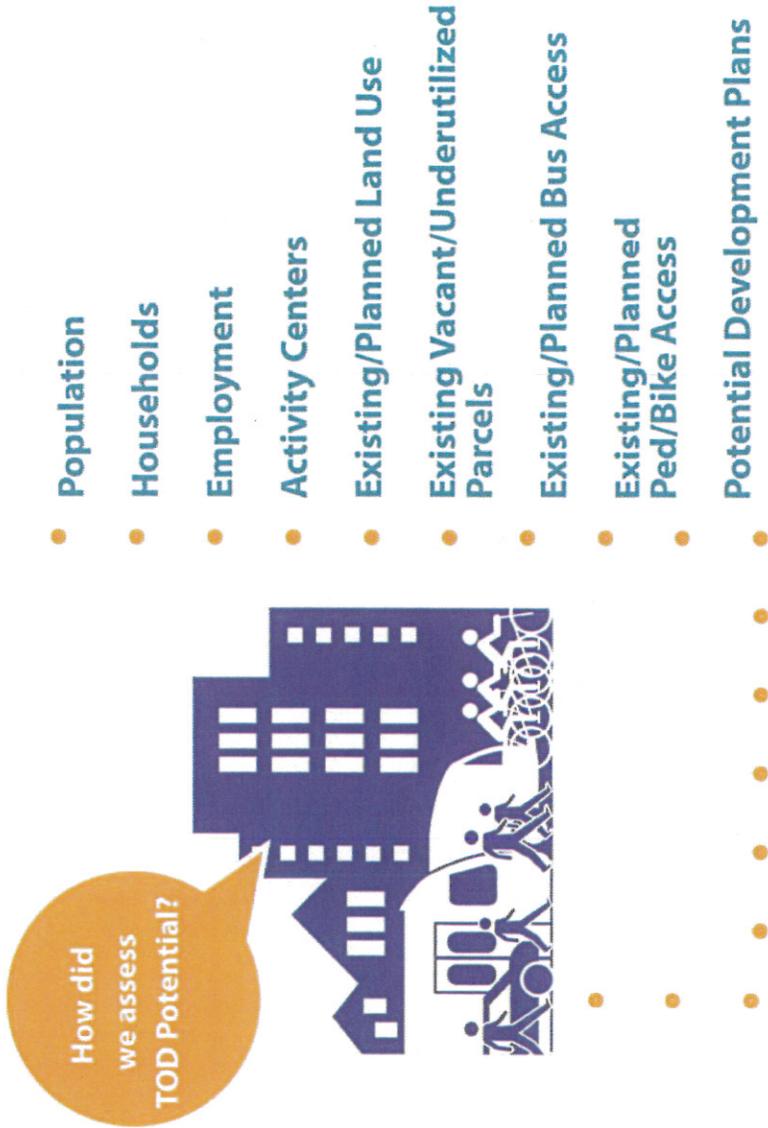


# Federal Way Transit Extension Alternatives Analysis Summary

## Level 2 Evaluation Results



The SR 99 Hybrid alternative would affect commercial and residential properties at various locations along SR 99 but would avoid major effects to key intersections or community facilities.



As part of the alternatives analysis, Sound Transit analyzed the transit oriented development (TOD) potential of the various alternatives. This analysis was conducted in accordance with Sound Transit's TOD policy. The assessment of TOD potential considered a range of issues. Both alignment alternatives and station location alternatives were assessed.

# Federal Way Transit Extension Alternatives Analysis Summary

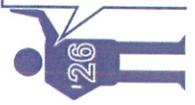
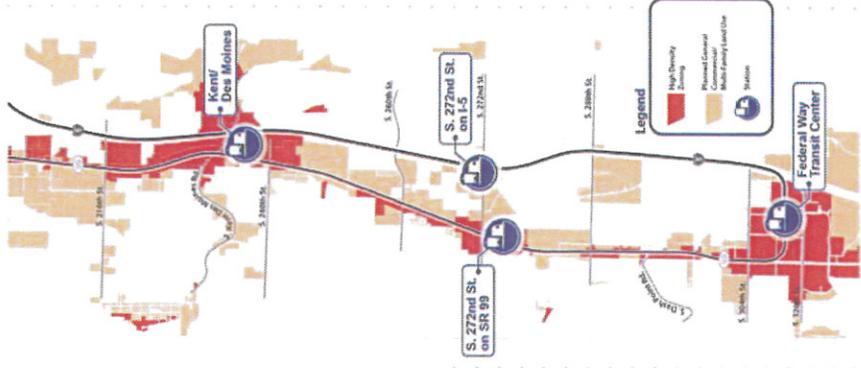
## TOD Potential - Alignments



How did we measure TOD Potential?



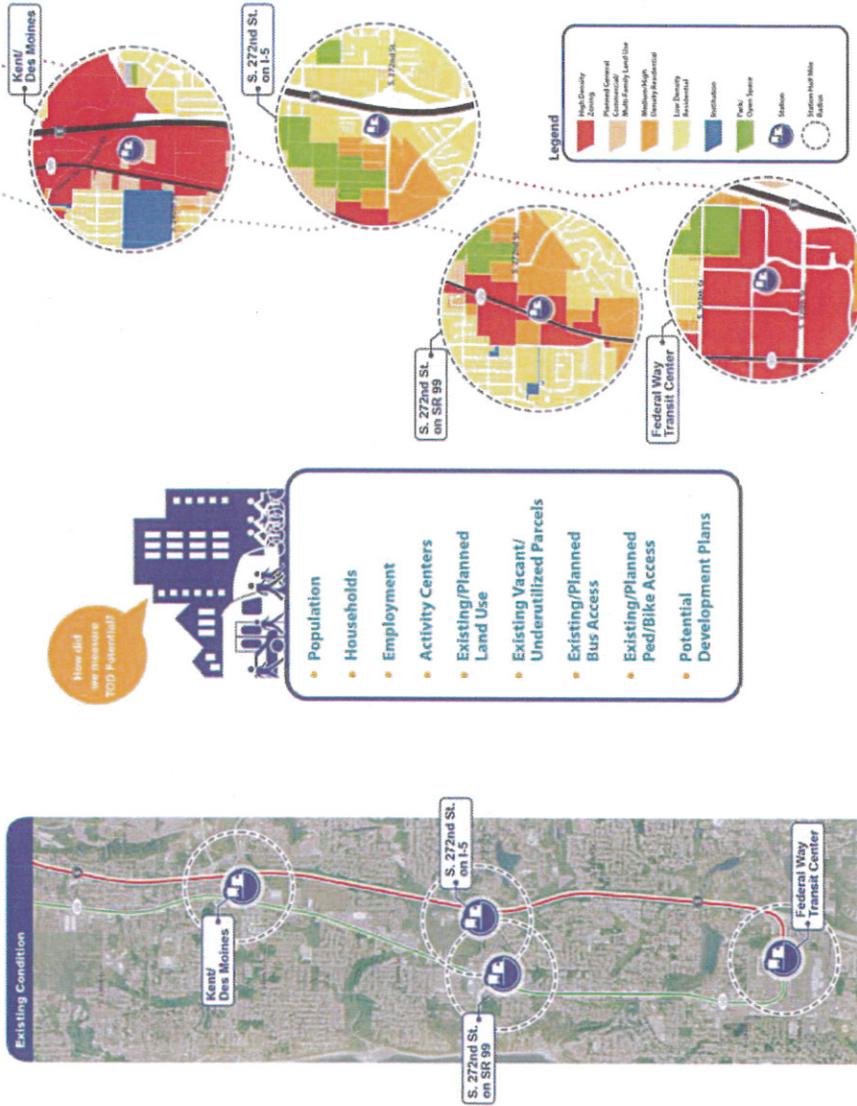
- Population
- Households
- Employment
- Activity Centers
- Existing/Planned Land Use
- Existing Vacant/Underutilized Parcels
- Existing/Planned Bus Access
- Existing/Planned Ped/Bike Access
- Potential Development Plans



The graphic on the right illustrates the high density zoning and the planned commercial and multi-family land uses within 1/4 mile of the alignment alternatives. TOD potential is generally higher along the SR 99 alignment alternatives.

# Federal Way Transit Extension Alternatives Analysis Summary

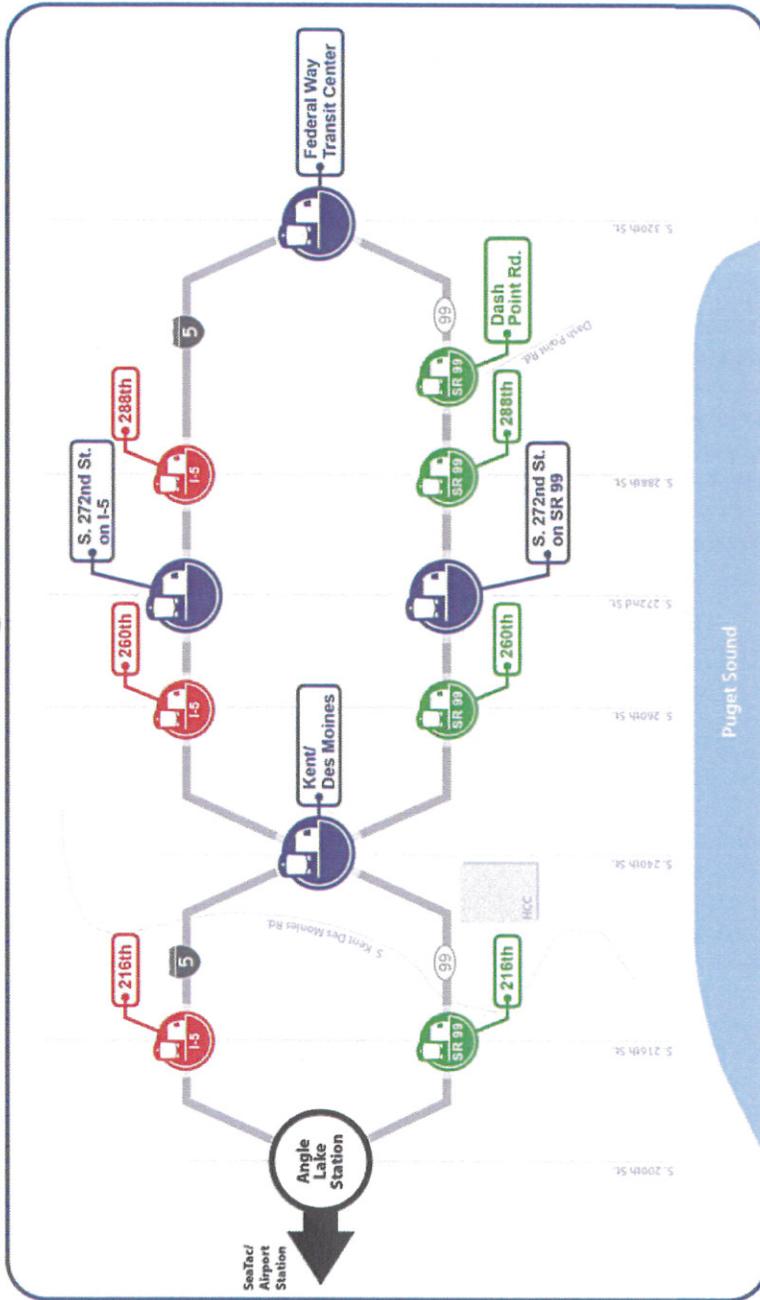
## TOD Potential - Stations



The analysis of TOD potential for stations generally looked at the area within 1/2 mile of the station locations. The stations at Kent/Des Moines and the Federal Way Transit Center would generally be in the same location for all alternatives, but the South 272nd Street station would be in different locations for the SR 99 and I-5 alternatives. The South 272nd Street station on SR 99 would have higher TOD potential.

# Federal Way Transit Extension Alternatives Analysis Summary

## Station Evaluation



\*Additional stations were evaluated as part of the alternatives analysis process; these stations were not included in the voter-approved ST2 Plan and, if approved, would require additional taxing authority and funding.



During the Early Scoping public comment period a number of potential additional station locations were suggested. Some were screened out because they were outside the study area, or in close proximity to existing locations. Seven locations were then evaluated in more detail (four along SR 99 and three along I-5).

# Federal Way Transit Extension Alternatives Analysis Summary

## Station Evaluation



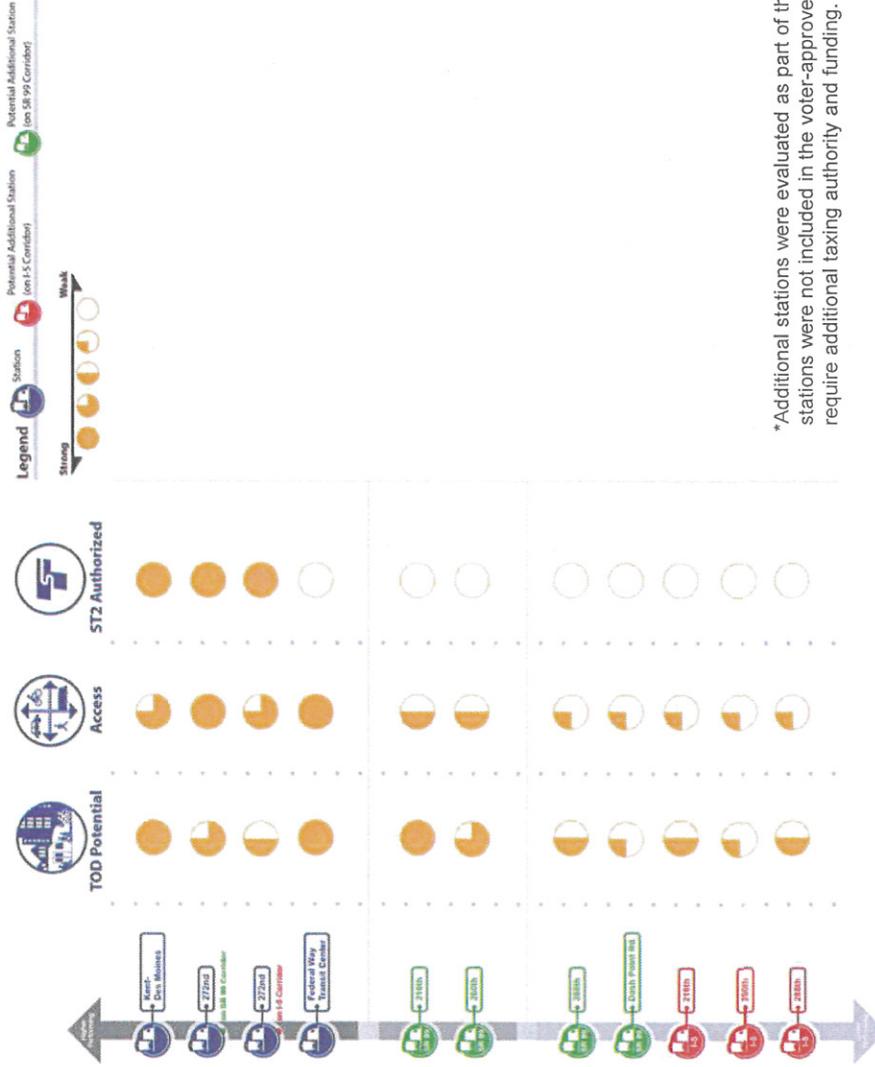
\*Additional stations were evaluated as part of the alternatives analysis process; these stations were not included in the voter-approved ST2 Plan and, if approved, would require additional taxing authority and funding.



The station evaluation examined both TOD potential and multimodal access.

# Federal Way Transit Extension Alternatives Analysis Summary

## Station Evaluation Results



\*Additional stations were evaluated as part of the alternatives analysis process; these stations were not included in the voter-approved ST2 Plan and, if approved, would require additional taxing authority and funding.



The four station locations identified in previous studies were evaluated along with the seven potential additional station locations that were suggested during the Early Scoping public comment period.

# Federal Way Transit Extension Alternatives Analysis Summary

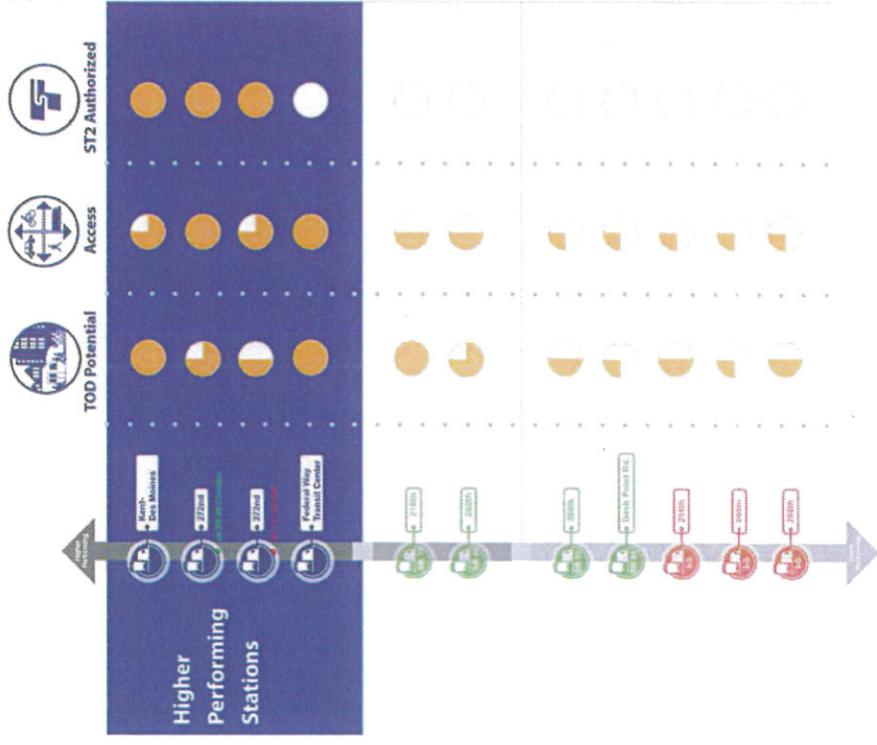
## Station Evaluation Results



**Legend**

- Station
- Potential Additional Station (on I-5 Corridor)
- Potential Additional Station (on SR99 Corridor)

Strong ← → Weak



\*Additional stations were evaluated as part of the alternatives analysis process; these stations were not included in the voter-approved ST2 Plan and, if approved, would require additional taxing authority and funding.



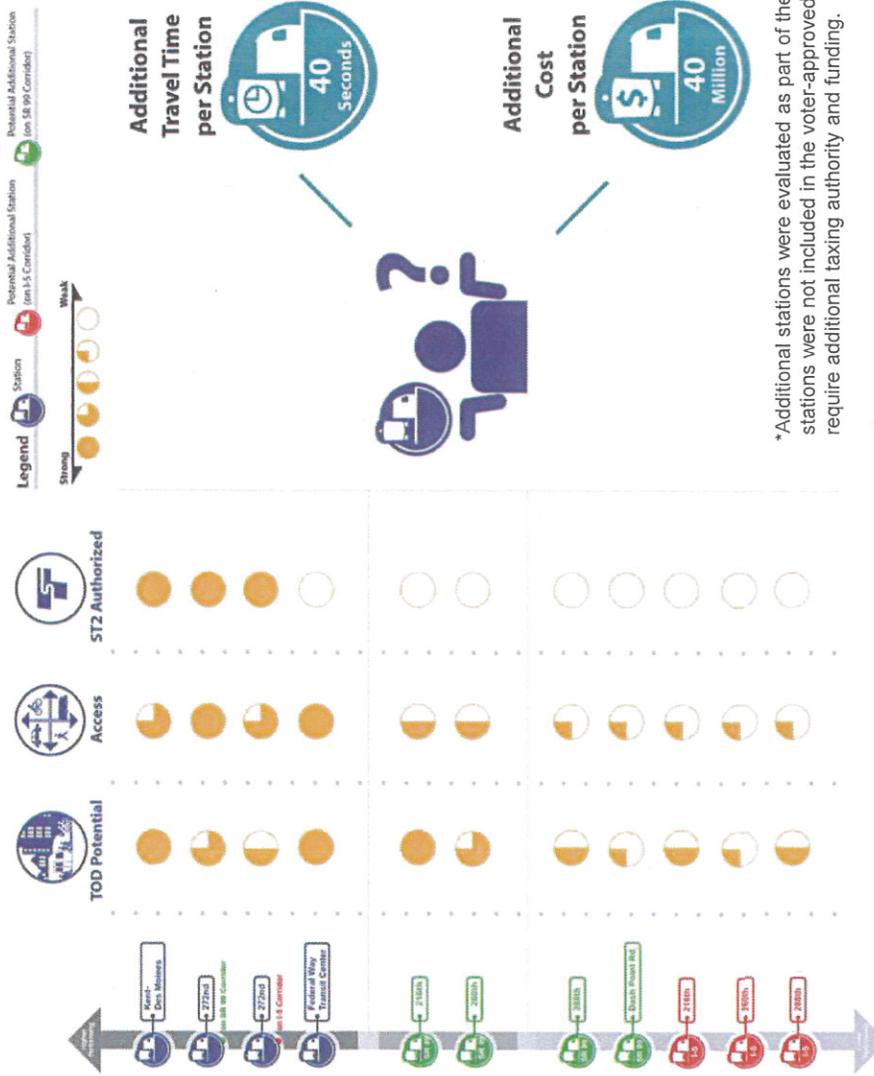
The station locations at Kent/Des Moines, South 272nd Street and the Federal Way Transit Center have good TOD potential and good access.





# Federal Way Transit Extension Alternatives Analysis Summary

## Station Evaluation Results



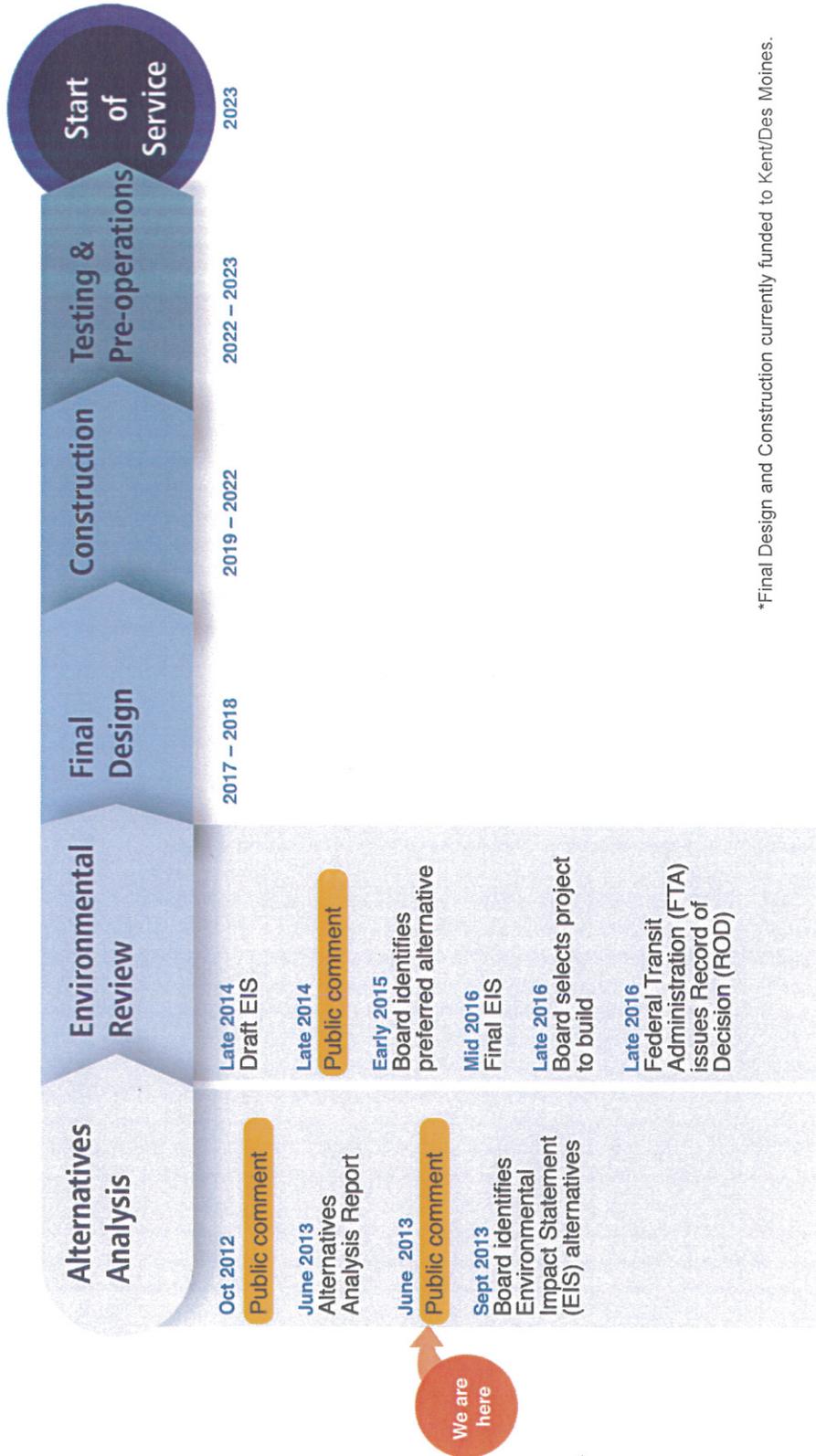
\*Additional stations were evaluated as part of the alternatives analysis process; these stations were not included in the voter-approved ST2 Plan and, if approved, would require additional taxing authority and funding.



Each additional station would increase the end-to-end travel time by about 40 seconds. The cost of constructing an additional station is about \$40 million.

# Federal Way Transit Extension Alternatives Analysis Summary

Timeline/Process



\*Final Design and Construction currently funded to Kent/Des Moines.



The results of the AA will be presented to the public during the EIS Scoping period in June 2013. Based on input received during scoping, the Sound Transit Board will then identify which alternatives should be studied in more detail in the Draft EIS. The Draft EIS will be available for public comment in late 2014. A final decision on which alternative should be built will be made after publication of a Final EIS in 2016.

## Scoping Period:

**June 14 - July 15, 2013**



**June 19, 2013**  
**3 p.m. – 6 p.m.**

*Federal Way Transit Center Plaza*  
31621 23rd Ave S.  
Federal Way, 98003



**June 26, 2013**  
**5 p.m. – 7 p.m.**

*Parkside Elementary cafeteria*  
2104 S. 247th St.  
Des Moines, 98198



The EIS Scoping public comment period will last until July 15, 2013. Public meetings will be held at the locations and times noted above.

## Send us your comments by July 15, 2013



**Mail:**

Kent Hale

Sound Transit, 401 S Jackson St., Seattle, WA 98104



**Email:**

FWTE@soundtransit.org



**Online:**

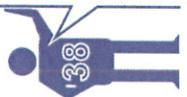
Complete a scoping comment form at  
[www.soundtransit.org/FWextension](http://www.soundtransit.org/FWextension)



**Attend a public meeting**  
and fill out a comment form



Comments regarding the AA and which alternatives should be studied further in the Draft EIS should be submitted by one of the methods above by July 15, 2013.



Additional information regarding the Federal Way Transit Extension is available on the project website at [www.soundtransit.org/FWextension](http://www.soundtransit.org/FWextension). To view the Level 1 and Level 2 Alternatives Screening reports, click on "Federal Way document archive" in the bottom right corner of the project home page.

*Link Light Rail Extension Policy Paper*

**Purpose:** For the cities of SeaTac and Des Moines to agree on a framework of prioritized goals and principles to guide decision making on light rail extension and station locations through our respective cities.

**Shared Goals for Light Rail Extension**

1. Minimize impacts on businesses and residents
2. Facilitate, not compromise, economic development along alignment
3. Maintain traffic capacity along SR99 and at Kent-Des Moines intersection
4. Be compatible with full build out of SR509 extension to I-5 and collector distributor network to Federal Way
5. Facilitate Highline Community College access and fully mitigate traffic, parking, land use and law enforcement impacts on the College
6. Facilitate *Transit Oriented Development* along alignment and especially at stops
7. Improve local east-west and north-south transit connections as well as regional commuting

**Shared Planning Principles**

1. **Minimize impacts on businesses and residents by:**
  - Minimizing condemnation of existing business
  - Not impacting access to existing commercial properties
  - Not bisecting residential neighborhoods between S. 200<sup>th</sup> and S. 240<sup>th</sup>, most of which are home to low income families
2. **Facilitate, not compromise, economic development along alignment by:**
  - Not diminishing the economic value of prime but limited commercial properties
  - Not reducing the developable size or optimum build out of limited commercial properties or limiting their assemblage for larger scale projects
  - Not decreasing the access to vacant or underdeveloped commercial properties
  - Avoiding impacts to properties fronting on the 24<sup>th</sup>/28<sup>th</sup> Corridor
  - Accommodating a potential signalized intersection on SR99 at about 212<sup>th</sup>
3. **Maintain traffic capacity along SR99 and at Kent-Des Moines intersection by:**
  - Not causing reductions in levels of service along SR99 or at intersections
  - Not reducing local transit efficiency and thereby reduce levels of transit service
4. **Be compatible with full build out of SR509 extension to I-5 and collector distributor network to Federal Way by:**
  - Not compromising the cost or schedule of either interim or full build out of the SR509 extension including HOV access to SR509 from I-5 or potential I-5 hot lanes
5. **Facilitate Highline Community College access to Light Rail while maintaining vehicular access and fully mitigating traffic, parking, land use and law enforcement impacts on the College by:**
  - Reducing impacts of interim end-of-line station at the College
  - Provide for all interim and long term parking impacts
  - Fully accommodate and provide S. 236<sup>th</sup> Lane access with signalized intersection.
6. **Facilitate *Transit Oriented Development* at stops by:**
  - Fully supporting SeaTac's and Des Moines' long standing and adopted Comprehensive Plans
  - Not limiting the development of properties that would be important in a mix of mid- and high-rise large scale mixed use residential, retail and commercial transit-oriented development
7. **Improve local east-west and north-south transit connections as well as regional commuting by:**
  - Providing for enhanced east-west feeder or circulating bus services and improved north-south services other than on SR99 through cities





## **Background**

In 1984 the City Council enacted an ordinance and resolution that closed the Marina's north parking lot to vehicular traffic between the hours of 10:00 PM to 5:00 AM daily. The Council permitted users to enter and park their vehicles in the north lot during those hours provided that they displayed a valid permit obtained from the Marina office or met one of the other exceptions. Typically, people who needed access to the north lot during the late night and early morning hours were using the Public Fishing Pier.

The curfew was enacted in response to the increase in the inappropriate use of the area. Common occurrences included loud gatherings, illegal use of drugs and alcohol, reckless driving, fighting and low levels of criminal activity like drug dealing and prostitution.

## **Discussion**

In October of last year the staff asked the Council for permission to re-visit the issue of inappropriate use of the Marina parking lots and the Beach Park. Again this was in response to an increase in inappropriate behavior and criminal activity that had been building up over several years. At that time the staff told the Council that they would look at systems to control parking and traffic, additions to the CCTV security camera system and the revision of current ordinances or the creation of new ordinances that would give the Police Department additional tools to maintain control of the Marina during the late night and early morning hours.

This revision of the 1984 ordinance would give Police Officers the ability to evict, cite or tow vehicles that are in any of the Marina parking lots that are not there for one of the permitted uses. Permitted uses will include fishing on the Public Fishing Pier, Parking for Marina tenants and their guests who are staying on their boats or who are on a cruise, visitors in guest moorage and parking that is necessary for special events in the Marina.

## **Alternatives**

The Council may adopt the Ordinance and Resolution as written.

The Council may adopt the Ordinance and Resolution with amendments.

The Council may decline to adopt the Ordinance and Resolution. Declining to adopt the Ordinance and Resolution would maintain the status quo of only having a vehicle curfew in the North Marina Lot.

## **Financial Impact**

The costs of implementing the new Ordinance and Resolution are estimated to be about \$2,000 for new signs and parking passes for permitted uses. The Police Department is already responding frequently to calls for service in the Marina during the late night and early morning hours so staff does not anticipate an increase in patrol costs. Once the Draft Ordinance and Resolution take effect and officers start issuing citation and towing vehicles, staff believes it is a reasonable assumption that calls for service will decline.

## **Recommendation or Conclusion**

Staff recommends that Council Adopt Draft Ordinance and Resolution No. 13-085.

## **Concurrence**

The Police Department and the City Attorney's Office concur with this recommendation.

## CITY ATTORNEY'S FIRST DRAFT 04/09/2013

## DRAFT ORDINANCE NO. 13-085

**AN ORDINANCE OF THE CITY OF DES MOINES, WASHINGTON** relating to the City's Harbor Code and amending DMMC 15.12.010, 15.12.020, and 15.12.040 amending parking regulations at the City's Marina parking lots and updating exemptions.

**WHEREAS**, the City Council has previously closed the north Marina parking lot to vehicles during certain hours to limit unwanted noise, gatherings, and criminal activity, and

**WHEREAS**, over the last several years there has been an increase in noise and crime in the south parking lot of the Marina, and

**WHEREAS**, the Harbormaster and the Police Department have tried to curb unwanted behavior in the Marina parking lots by installing surveillance cameras as well as increasing police patrols, and

**WHEREAS**, increased police patrols may temporarily decrease criminal activity but problems recur when officers are not present, and

**WHEREAS**; the City Council finds that the most effective means to a permanent solution is closure of the entire Marina parking lot to motor vehicles during certain evening hours, with exceptions for authorized uses of Marina patrons and residents, now therefore,

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

**Sec. 1.** DMMC 15.12.010 and section 1 of Ordinance No. 591 are amended to read as follows:

~~North marina~~ Marina parking lot-lots - Closure.

The City Manager is directed to close the ~~north~~ Marina parking lots to all vehicular traffic (with certain exceptions specified in this chapter) during such hours as are set by resolution of the ~~e~~City ~~e~~Council, and post such restriction at such

Ordinance No. \_\_\_\_\_  
Page 2 of 4

locations and in such a manner which reasonably informs the public.

**Sec. 2.** DMMC 15.12.020 and section 2 of Ordinance No. 591 are amended to read as follows:

**Motor vehicle trespass designated.** The operator of a motor vehicle who enters ~~the north~~ a parking lot at the Marina between the hours set by the eCity eCouncil and posted as provided in DMMC 15.12.010, or whose vehicle is found in ~~the north~~ a Marina parking lot during such hours commits the traffic infraction of motor vehicle trespass.

**Sec. 3.** DMMC 15.12.040 and section 5 of Ordinance No. 591 as amended by section 1 of Ordinance No. 1018 are amended to read as follows:

**Exemptions.** The following are exempt from the provisions of this chapter:

(1) Residents and guests of residents whose real property parking is contiguous to ~~the a Marina north~~ parking lot; except that this exemption is limited to transit through the ~~north~~ parking lots. Persons in this category who park in ~~the north~~ a Marina parking lot shall forfeit the exempt status.

(2) Users of the Marina who have legitimate reasons to park in ~~the north~~ a Marina parking lot in connection with boating or fishing activities; including, but not limited to, liveaboards, occupants of guest moorage, persons who have launched vessels, and persons who are loading or unloading vessels. This exemption is limited to vehicles that have conspicuously displayed on the vehicle either a parking pass

Ordinance No. \_\_\_\_\_  
Page 3 of 4

issued by the ~~h~~Harbormaster or a current launching ticket. A decision of the ~~h~~Harbormaster denying a parking pass may be appealed to the City Manager and the ~~h~~Hearing ~~e~~Examiner in accordance with rules and regulations for the Marina.

(3) Vehicles displaying a card, decal, or special license plate issued by the Washington State Department of Licensing pursuant to RCW ~~46.16.381~~ 46.19.010 or another jurisdiction pursuant to RCW ~~46.16.390~~ 46.19.070, both as presently constituted or as may be subsequently amended, that indicates an occupant of the vehicle is physically disabled.

(4) Official federal, state, or local law enforcement, fire protection, or medical vehicles while in performance of official duties.

**NEW SECTION. 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 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.

**NEW SECTION. Sec. 5. Effective date.** This ordinance shall take effect and be in full force thirty (30) days after its passage and approval in accordance with law.

**PASSED BY** the City Council of the City of Des Moines this \_\_\_\_\_ day of \_\_\_\_\_, 2013 and signed in authentication thereof this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

Ordinance No. \_\_\_\_\_  
Page 4 of 4

\_\_\_\_\_  
M A Y O R

APPROVED AS TO FORM:

\_\_\_\_\_  
Assistant City Attorney

ATTEST:

\_\_\_\_\_  
City Clerk

Published: \_\_\_\_\_

Effective Date: \_\_\_\_\_

CITY ATTORNEY'S FIRST DRAFT 04/09/2013

DRAFT RESOLUTION NO. 13-085

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DES MOINES, WASHINGTON, establishing the hours of closure of the Marina parking lots to vehicular traffic pursuant to Ordinance No. \_\_\_\_\_ and superseding Des Moines Resolution No. 386.

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

**Sec. 1.** In accordance with sections 1 and 2 of Ordinance No. \_\_\_\_\_ passed by the Des Moines City Council on \_\_\_\_\_, 2013, the hours of closure of the Marina parking lots to vehicular traffic are:

Daily, 10:00 p.m. to 5:00 a.m.

**Sec. 2.** Such hours of closure may be modified by subsequent resolution of the Des Moines City Council.

**ADOPTED BY** the City Council of the City of Des Moines, Washington this \_\_\_\_\_ day of \_\_\_\_\_, 2013 and signed in authentication thereof this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

\_\_\_\_\_  
M A Y O R

APPROVED AS TO FORM:

\_\_\_\_\_  
Assistant City Attorney

ATTEST:

\_\_\_\_\_  
City Clerk

DRAFTRES:

Resolution No. \_\_\_\_  
Page 2 of \_\_\_\_

6/17/13 8:53 AM

RESOLUTION NO. 386

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DES MOINES establishing hours of closure of the north parking lot of the Des Moines Marina to vehicular traffic pursuant to Ordinance No. 591.

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

Section 1. In accordance with Sections 1 and 2 of Ordinance No. 591, passed by the City Council of the City of Des Moines on 26 April 1984, the hours of closure of the north parking lot of the Des Moines Marina to vehicular traffic are:

Daily, 10:00 p.m. to 5:00 a.m.

Section 2. Such hours of closure may be modified by subsequent resolution of the Des Moines City Council.

ADOPTED by the City Council of the City of Des Moines, Washington this 3rd day of May, 1984 and signed in authentication thereof this 3rd day of May, 1984.

*Pat DeBlasio*  
MAYOR

APPROVED AS TO FORM:

*James B. John*  
City Attorney

ATTEST:

*Lewis Olsen*  
City Clerk





# A G E N D A I T E M

## BUSINESS OF THE CITY COUNCIL City of Des Moines, WA

SUBJECT: Draft Ordinance 13-104 updating parking regulations

FOR AGENDA OF: June 27, 2013

ATTACHMENTS:

- 1. Draft Ordinance 13-104

DEPT. OF ORIGIN: Legal

DATE SUBMITTED: June 18, 2013

CLEARANCES:

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

APPROVED BY CITY MANAGER  
FOR SUBMITTAL: Sub

### Purpose and Recommendation

The purpose of this item is to seek City Council approval of Draft Ordinance 13-104 which amends the provisions in chapter 10.16 DMMC relating to oversized vehicles on City right of way and increases minimum parking penalties from \$20 to \$50.

### Suggested Motion

**First Motion: I move to suspend Rule 26(a) in order to enact Draft Ordinance 13-104 on first reading.**

**Second Motion: I move to enact Draft Ordinance 13-104 amending the parking code to update the regulation of oversized vehicles on City right of way and to increase minimum parking penalties from \$20 to \$50.**

### Background

At the direction of the Council, City staff has been reviewing nuisance type codes in order to provide for more effective enforcement as well as to correct ambiguities and conflicts within the code. Through that process, two issues were identified in the parking code found in chapter 10.16 DMMC. The two issues

identified relate to the parking of oversized vehicles on city streets and the penalties imposed for parking violations. This Draft Ordinance updates the code relating to oversized vehicles as well as increases the penalty amount for parking infractions in order to cover City costs.

## **Discussion**

### **Oversized Vehicles**

For clarity purposes, the proposed amendments remove the weight capacity option from the definition of oversized vehicles. This language created two problems as it was impossible to tell the weight capacity of a vehicle unless it was listed on the vehicle and newer passenger trucks may exceed the 10,000 pound weight capacity. Limiting the definition of oversized vehicles to vehicles that are larger than 7.5 feet in width or 20 feet in length creates an identifiable standard that is easy for the public and enforcement officials to determine.

The term “unimproved right-of-way” was added to clarify that the prohibition applies to shoulders and off street areas that are City right of way.

Finally, the six hour limit was raised to 24 to create a realistic and fair amount of time that an oversized vehicle may be parked on a City street to allow the operator to achieve the job that he or she is there to accomplish. For example, under the previous six hour requirement, a moving truck would be subject to citation if parked on the shoulder in front of a residence while the occupant is moving if the move lasted longer than six hours. The 24 hour mark is a suggested time that would allow for a necessary task to be completed while also ensuring that oversized vehicles don’t remain indeterminately on City streets or right of way.

### **Parking Penalty**

The current penalty for an ordinary parking ticket in Des Moines is \$20. This penalty, when paid, does not cover the costs of issuing and processing the infraction through court. This amount is also substantially lower than surrounding jurisdictions. Amounts imposed by surrounding jurisdiction are listed below:

Auburn - \$30 - \$75 depending on type of parking violation  
 Burien - \$50  
 Kent - \$50  
 Seatac - \$50  
 Seattle - \$47

Additional information can be found under the Financial Impact section below.

This Draft Ordinance was reviewed by the Finance and Economic Development Committee and there was a consensus that it should be brought forward to the entire Council.

**Financial Impact**

Currently the costs for issuing a parking ticket exceed the amount of the fine that is imposed. This has resulted in a reluctance of police officers to issue parking infractions and a negative financial impact to the City when they do. While it is difficult to estimate the cost of police and court staff for processing a parking infraction, Des Moines currently charges Normandy Park \$52.50 for processing a parking infraction through the court alone to cover staff time and overhead.

Raising the parking penalty to cover the minimum costs of issuing and processing a parking infraction will reduce lost costs, increase the enforcement of parking violations, and hopefully deter future parking violations.

**Recommendation or Conclusion**

The Legal and Police Departments recommend passage of the Draft Ordinance.



**CITY ATTORNEY'S FIRST DRAFT 05/01/2013**

**DRAFT ORDINANCE NO. 13-104**

**AN ORDINANCE OF THE CITY OF DES MOINES, WASHINGTON** relating to traffic code and parking violations, amending DMMC 10.16.050 by adding a new penalty section for parking violations, and codifying a new section in chapter 10.16 DMMC.

**WHEREAS,** the parking of oversized vehicles on City streets and right of way for an extended period of time creates visual obstructions for drivers and results in a reduction of available parking and an increase in citizen complaints, and

**WHEREAS,** the previously adopted code section prohibiting oversized vehicles are vague and can be difficult to enforce, and

**WHEREAS,** clarifying the City's oversized vehicles regulation will allow the City to better enforce the prohibition, increase public safety, and increase public awareness of what constitutes a violation, and

**WHEREAS,** the penalties for parking violations have remained low despite increased costs for enforcement and administration, and

**WHEREAS,** increasing the penalties for parking violations will increase the deterrent effect of parking citations, and

**WHEREAS,** the City Council finds that the public good is served by adoption of this Ordinance; now therefore,

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

**Sec. 1.** DMMC 10.16.050 and section 3(16) of Ordinance No. 451 as amended by section 1 of Ordinance No. 632 formerly 10.04.120 as amended by section 12(9) of Ordinance No. 1053 are amended to read as follows:

**Parking - Oversized vehicles.**

Ordinance No. \_\_\_\_  
Page 2 of 3

~~(1) No person having control or charge of any vehicle with a weight capacity in excess of 10,000 pounds or exceeding seven and one-half feet in width or exceeding 20 feet in length shall park such vehicle on any City street or unimproved right-of-way for a period exceeding six-twenty-four (24) continuous hours.~~

~~(2) A violation of or failure to comply with this section is a class 5 civil infraction.~~

**NEW SECTION. Sec. 2.** A new section is added to chapter 10.16 DMMC to read as follows:

**Penalties.** Any violation of this chapter related to parking for which no penalty is specifically provided shall be an infraction and punishable by a penalty of fifty dollars (\$50.00)

**NEW SECTION. Sec. 3. Codification.** Section 2 of this Ordinance shall be codified as a new section in chapter 10.16 DMMC entitled *Penalties*.

**NEW SECTION. 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 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.

**NEW SECTION. Sec. 5. Effective date.** This ordinance shall take effect and be in full force thirty (30) days after its passage and approval in accordance with law.

**PASSED BY** the City Council of the City of Des Moines this \_\_\_\_ day of \_\_\_\_\_, 2013 and signed in authentication thereof this \_\_\_\_ day of \_\_\_\_\_, 2013.

Ordinance No. \_\_\_\_  
Page 3 of 3

\_\_\_\_\_  
M A Y O R

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney

ATTEST:

\_\_\_\_\_  
City Clerk

Published: \_\_\_\_\_

Effective Date: \_\_\_\_\_



# AGENDA ITEM

SUBJECT: Draft Ordinance 13-105, International Property Maintenance Code

AGENDA OF: June 27, 2013

ATTACHMENT:

- 1. Draft Ordinance 13-105

DEPT. OF ORIGIN: Planning, Building & Public Works

DATE SUBMITTED: June 19, 2013

CLEARANCES:

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

APPROVED BY CITY MANAGER FOR SUBMITTAL: Lak

**Purpose and Recommendation:**

The purpose of this agenda item is to apply the exterior maintenance provisions of the International Property Maintenance Code (IPMC) to the Des Moines Municipal Code (DMMC) for commercial and multi-family properties. City Council remanded this issue to the Finance & Economic Development during its January 2013 goal setting retreat in response to long standing community concerns about the exterior maintenance and appearance of commercial and multi-family properties.

**Suggested Motions**

**Motion 1A:** "I move to suspend City Council Rule 26(a), allowing adoption of Draft Ordinance No. 13-105 on 1<sup>st</sup> Reading."

**Motion 1B:** "I move to pass Draft Ordinance No. 13-105 relating to the City's Buildings and Construction Code and amending DMMC 14.08.150, the International Property Maintenance Code."

Or, alternatively:

**Motion 2:** "I move to pass Draft Ordinance No. 13-105, relating to the City's Buildings and Construction Code and amending DMMC 14.08.150, the International Property Maintenance Code, to a second reading on \_\_\_\_\_."

### **Background:**

In 2004, the Washington State Legislature authorized the State Building Code Council to amend Chapter 51 WAC to reflect the new International Building Code, the International Mechanical Code, the International Fire Code (from the former Uniform Code Group) and the Uniform Plumbing Code and in 2006, the Legislature authorized the Department of Labor and Industries to adopt the 2005 version of the National Electrical Code. In 2007, following a series of City Council study session over 5 months, the DMMC was modified by Ordinance 1407 to incorporate these State-directed consolidations and reorganize and reconcile Title 14 with other parts of the DMMC, affecting more than 40 building code-related ordinances dating back to incorporation in 1959.

Among the policy questions addressed by Council during these study sessions and the adoption of Ordinance 1407 was which provisions of the State-adopted *International Property Maintenance Code* (IPMC) should the City adopt? The decision at that time was that the IPMC be incorporated in part, not as a whole; the City should not enforce cleanliness or maintenance standards inside buildings; and the City should not enforce the need for fence painting, insect screens, or building security.

### **Discussion:**

The Finance & Economic Development Committee considered this matter at its April 25th, May 28<sup>th</sup> and June 3<sup>rd</sup> meetings in conjunction with staff recommendations on the need for clarifying ordinances on five sections of the DMMC to improve the enforcement of the City's nuisance codes. The recital section of the Draft Ordinance was modified in response to Committee input.

The only policy question raised by the Committee was the need to strictly enforce these requirements on parts of buildings that were not as visible to the public such as on the rear of buildings away from the roads. Staff's enforcement approach would be to only respond to complaints.

### **Alternatives**

The City Council may:

1. Waive Council Rule 26(a) and adopt the Draft Ordinance on 1<sup>st</sup> reading.
2. Adopt the Draft Ordinance with changes.
3. Pass the Draft Ordinance to a 2<sup>nd</sup> Reading at a future date.

### **Financial Impact**

None

### **Recommendation/Conclusion**

Staff recommendation is that City Council adopt Draft Ordinance 13-105 on 1<sup>st</sup> reading as proposed.

## CITY ATTORNEY'S FIRST DRAFT 06/19/2013

## DRAFT ORDINANCE NO. 13-105

**AN ORDINANCE OF THE CITY OF DES MOINES, WASHINGTON** relating to the City's Buildings and Construction Code, and amending DMMC 14.08.150, the International Property Maintenance Code.

**WHEREAS**, the failure of some commercial and multi-family property owners to adequately maintain the exteriors of their buildings creates the appearance of neglect and makes these and surrounding properties less attractive and commercially viable, and

**WHEREAS**, the City lacks an enforcement mechanism to encourage these commercial property owners to properly maintain their properties, and

**WHEREAS**, the IPMC allows for the adoption or exclusion of specific chapters and sections based on a community's individual characteristics and also specifically seeks a decision from local jurisdictions on a number of issues, and

**WHEREAS**, the City Council finds that the amendments contained in this Draft Ordinance increase public safety by ensuring current building regulations and further the Council's vision of attractive development in the City, now therefore,

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

**Sec. 1.** DMMC 14.08.150 and section 40 of Ordinance No. 1407 are amended to read as follows:

**International Property Maintenance Code (IPMC) amended.** All references to the International Property Maintenance Code (IPMC) in this chapter shall refer to the current edition of the IPMC. ~~The International Property Maintenance Code (IPMC),~~ as adopted by section 101.4.5-4 of the International Building Code (IBC) as presently

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constituted or as may be subsequently amended, added to, or excepted.

The IPMC is hereby amended, added to, and excepted as follows:

(1) ~~Any r~~References to an appeal of ~~any an~~ administrative action regarding this chapter shall be in accordance with the ~~city~~City of Des Moines Hearing Examiner Code, chapter 18.94 DMMC, or with procedures set forth in chapter 1.24 DMMC for civil infractions or chapter 1.28 DMMC for civil violations and penalties.

(2) The following sections of the ~~2006~~ IPMC, or the corresponding section of any updated or amended version of the IPMC, are removed in their entirety and not adopted:

|                  |                                    |
|------------------|------------------------------------|
| 111              | Means of Appeal                    |
| 302.2            | Grading and Drainage               |
| 302.5            | Rodent harborage                   |
| 302.8            | Motor vehicles                     |
| 302.9            | Defacement of property             |
| 304.2            | Protective treatment               |
| <del>304.3</del> | <del>Premises identification</del> |
| 304.13.2         | Openable windows                   |
| 304.14           | Insect screens                     |
| 304.15           | Exterior Doors                     |
| 304.17           | Guards for basement windows        |

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|         |                                 |
|---------|---------------------------------|
| 304.18  | Building security               |
| 305.3   | Interior surfaces               |
| 305.6   | Interior doors                  |
| 307     | Rubbish and Garbage             |
| 308     | Extermination                   |
| 404.4.1 | Room area                       |
| 404.5   | Overcrowding                    |
| 404.6   | Efficiency unit                 |
| 604.2   | Electrical appliance<br>service |

(3) That portion of section 103.5 of the ~~2006~~ IPMC, or the corresponding section of any updated or amended version of the IPMC, that is left for the decision of the local jurisdiction shall read as follows:

The fees for activities and services performed by the department in carrying out its responsibilities under this code shall be set by the City Manager.

(4) That portion of section 302.4 of the ~~2006~~ IPMC, or the corresponding section of any updated or amended version of the IPMC, that is left for the decision of the local jurisdiction shall read as follows:

All premises and exterior property shall be maintained free from weeds or plant growth in excess of twelve (12") inches. All noxious weeds shall be prohibited. Weeds shall be defined as all grasses, annual plants and vegetation, other than

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trees or shrubs, provided; however, this term shall not include cultivated flowers and gardens.

(5) That portion of section 304.2 of the IPMC, or the corresponding section of any updated or amended version of the IPMC, that is determined by the local eCity shall read as follows:

All exterior surfaces, including but not limited to, doors, door and window frames, cornices, porches, trim, balconies, roofs, decks and fences, of commercial properties and multi-family residences shall be maintained in good condition. Exterior wood surfaces, other than decay-resistant woods, shall be protected from the elements and decay by painting or other protective covering or treatment. Peeling, flaking and chipped paint shall be eliminated and surfaces repainted. All siding and masonry joints, as well as those between the building envelope and the perimeter of windows, doors and skylights, shall be maintained weather resistant and water tight. All metal surfaces subject to rust and corrosion, and all surfaces with rust or corrosion shall be stabilized and coated to inhibit future rust and corrosion. Oxidation stains shall be removed from exterior surfaces. Surfaces designed for stabilization by oxidation are exempt from this requirement.

(56) ~~The last sentence of section 304.9 of the 2006 IPMC, or the corresponding section of any updated or amended version of the IPMC, is not adopted so that s~~Section 304.9 shall read onlystates:

All overhang extensions, including but not limited to canopies, marquees, signs, metal awnings, fire

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escapes, standpipes and exhaust ducts shall be maintained in good repair and be properly anchored so as to be kept in a sound condition.

**NEW SECTION. Sec. 2. 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.

**NEW SECTION. Sec. 3. Effective date.** This ordinance shall take effect and be in full force thirty (30) days after its passage and approval in accordance with law.

**PASSED BY** the City Council of the City of Des Moines this \_\_\_\_\_ day of \_\_\_\_\_, 2013 and signed in authentication thereof this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

\_\_\_\_\_  
M A Y O R

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney

ATTEST:

\_\_\_\_\_  
City Clerk

Published: \_\_\_\_\_

Effective Date: \_\_\_\_\_

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June 19, 2013



## A G E N D A I T E M

### BUSINESS OF THE CITY COUNCIL City of Des Moines, WA

SUBJECT: Proposed 2013 Comprehensive Plan  
Amendments

ATTACHMENTS:

None.

FOR AGENDA OF: June 27, 2013

DEPT. OF ORIGIN: Planning, Building & Public  
Works

DATE SUBMITTED: June 18, 2013

CLEARANCES:

- Legal *EE*
- Finance *N/A*
- Marina *N/A*
- Parks, Recreation & Senior Services *N/A*
- Public Works *N/A*
- Community Development *DEL DJS*
- Police *N/A*

APPROVED BY CITY MANAGER

FOR SUBMITTAL: *Sub*

### Purpose and Recommendation

The purpose of this agenda item is to brief City Council on the proposed 2013 amendments to the Des Moines Comprehensive Plan.

### Background

The 1990 Growth Management Act is codified in RCW 36.70A. It requires, among other things, that “cities ... take action to review and, if needed, revise their *comprehensive plans* and development regulations (*emphasis added*) to ensure the plan and regulations comply with the requirements of this chapter . . . Any amendment of or revision to development regulations shall be consistent with and implement the comprehensive plan.”

Chapter 18.84, Comprehensive Plan of the Des Moines Municipal Code sets forth the process and standards of review that must be used by staff, the Planning Agency and the City Council in analyzing proposed amendments to the Comprehensive Plan and associated maps, including initiation of amendments, schedule for initiation and review of amendments, contents for application for amendment and decision criteria.

Applications for amendment of the City of Des Moines Comprehensive Plan may be submitted to the Planning, Building and Public Works Department between January 1st and June 30th of each calendar year (DMMC 18.84.060(1)). To date, no public requests for amendment to the Des Moines Comprehensive Plan have been received.

Consistent with the provisions of DMMC § 18.56.080, the Comprehensive Plan amendments are considered Type VI land use actions and require a public hearing with the Planning Agency and the City Council. A public hearing will be scheduled before the Des Moines Planning Agency and the Agency recommendations will be forwarded to City Council for consideration. A public hearing will then be held before the City Council for consideration and adoption of 2013 Comprehensive Plan Amendments.

### **Discussion**

The 2013 Comprehensive Plan Amendment docket for the City of Des Moines is based on and/or influenced by the 2013 Planning, Building and Public Works 2013 Work Program and City Council priorities:

- Add a policy to the Land Use Element to evaluate the feasibility of establishing an “Urban Center” designation for the North Central and Pacific Ridge Neighborhoods (combined) and possibly the Marina District Neighborhood.

*Urban Centers are compact mixed use areas that provide centralized living, working, shopping and/or activity areas linked to each other by high capacity transit or regular bus service. Focusing population and employment growth in urban centers helps to maximize the City’s investments in capital facilities and other public services. In addition, having a designated urban center could increase our regional competitiveness for transportation funding and other grant opportunities.*

Future jobs and housing growth in Des Moines will occur through infill development and redevelopment of underutilized property. Growth management and transportation legislation promote:

1. Compact development in urban centers rather than spread out development,
2. A balanced mix of mutually supportive land uses to facilitate walking and transit, and
3. Increased densities in transit corridors to better support frequent transit service.

Infill development success is also enhanced when it is done in a manner which reinforces the land use patterns and policy directions promoted by the state legislation. A first step to success is to recognize where the best opportunities exist for infill development that reinforces community objectives for future growth. Some locations, such as transit corridors, or locations near employment, convenient shopping, and recreational or cultural amenities will greatly enhance infill success.

The North Central, Pacific Ridge and Marina District Neighborhoods in Des Moines have similar characteristics and would benefit from receiving an Urban Center designation.

With Council concurrence, staff will complete the review and analysis of the proposed amendment and prepare a staff report that includes the decision criteria, an analysis of the merits of each proposal and a staff recommendation for consideration by the Planning Agency and City Council.

**Alternatives**

City Council has the option to amend or add to the 2013 Comprehensive Plan amendments.

**Financial Impact**

Amended goals, policies and strategies proposed for the Comprehensive Plan will help promote a healthy economic environment for the City and strategically plan for capital improvements and investments in conjunction with growth and development.

**Recommendation or Conclusion**

None.

**Concurrence**

N/A

