



AGENDA
DES MOINES CITY COUNCIL
STUDY SESSION
City Council Chambers
21630 11th Avenue S, Suite C
Des Moines, Washington
Thursday, June 5, 2025 - 5:00 PM

CITY COUNCIL COMMITTEE OF THE WHOLE
5:00 p.m. - 5:50 p.m.

CALL TO ORDER

COMMITTEE OF THE WHOLE ITEMS

- Item 1. MODERA WOODMONT DEVELOPMENT
[Modera Woodmont Development Exhibit PowerPoint](#)
- Item 2. DRAFT 2026-2045 TRANSPORTATION IMPROVEMENT PLAN (TIP)
[Draft 2026-2045 Transportation Improvement Plan \(TIP\)](#)
[Transportation Improvement Plan \(2026-2045\) PowerPoint](#)
- Item 3. SOUND TRANSIT FEDERAL WAY LINK EXTENSION UPDATE
[Federal Way Link Extension Project Update PowerPoint](#)

CITY COUNCIL STUDY SESSION,
6:00 p.m. - 9:00 p.m.

PLEDGE OF ALLEGIANCE

ROLL CALL

CORRESPONDENCE

COMMENTS FROM THE PUBLIC

Comments from the public must be limited to the items of business on the Study Session Agenda. Please sign in prior to the meeting and limit your comments to three (3) minutes.

DISCUSSION ITEMS

- Item 1. UPDATING RESOLUTION 1118 CONCERNING THE PROCESS OF PUBLIC CONTRACTING
[Updating Resolution 1118 Concerning The Process of Public Contracting](#)
[Updating Resolution 1118 Concerning Public Contracts PowerPoint](#)
- Item 2. COMPREHENSIVE PLAN UPDATE
[Comprehensive Plan Update](#)
[Comprehensive Plan Update PowerPoint](#)
- Item 3. CITY COUNCIL PROTOCOL MANUAL REVIEW
[City Council Protocol Manual Review](#)
[City Council Protocol Manual Review PowerPoint](#)

EXECUTIVE SESSION

PERFORMANCE OF A PUBLIC EMPLOYEE RCW 42.30.110(1)(g) - 20 Minutes

NEXT MEETING DATE

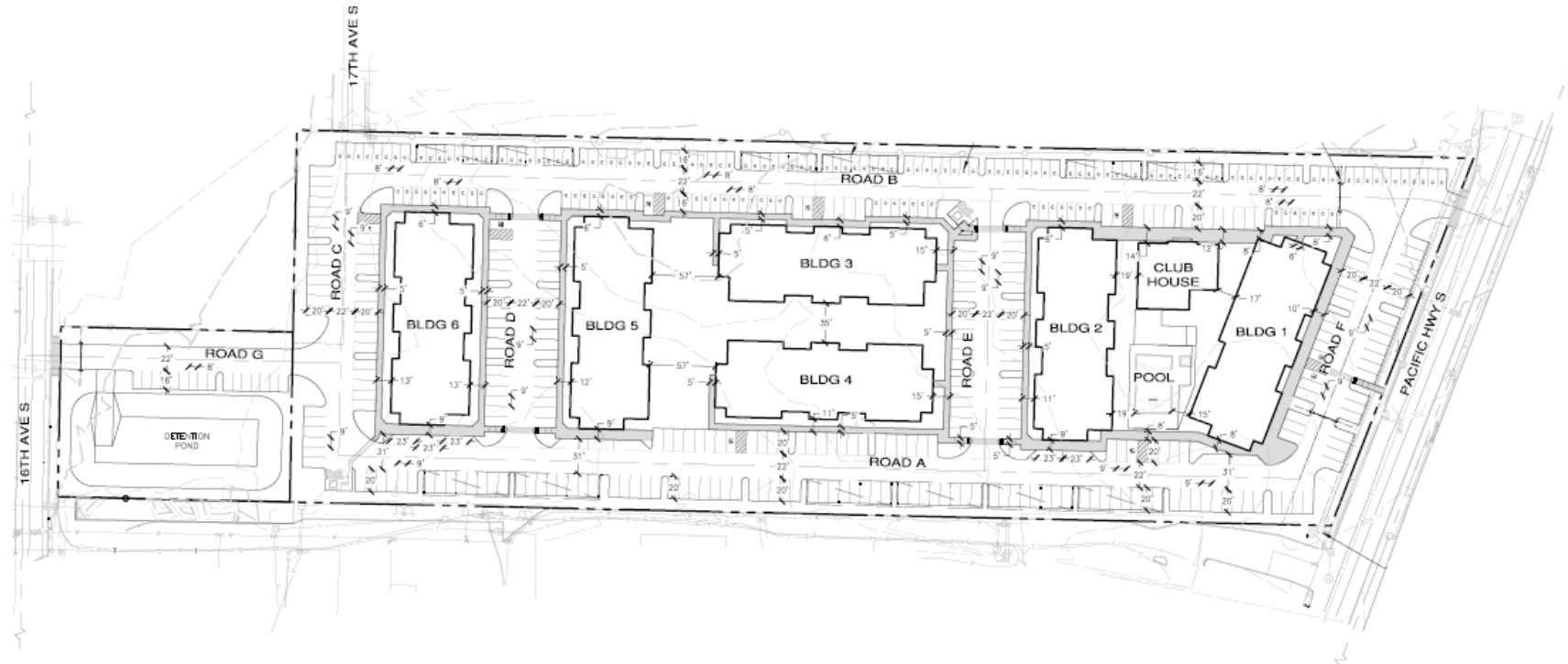
June 12, 2025 City Council Regular Meeting

ADJOURNMENT

[Projected Future Agenda Items](#)

City Council meeting can be viewed live on the City's website, Comcast Channel 21/321 or on the City's [YouTube](#) channel.

MODERA WOODMONT DEVELOPMENT EXHIBIT



COMMITTEE OF THE WHOLE

BUSINESS OF THE CITY COUNCIL City of Des Moines, WA

SUBJECT: Draft 2026-2045 Transportation
Improvement Plan (TIP)

ATTACHMENTS:

1. Draft TIP 2026-2045

FOR AGENDA OF: June 5, 2025

DEPT. OF ORIGIN: Public Works

DATE SUBMITTED: May 27, 2025

CLEARANCES:

- ☐ City Clerk _____
- ☐ Community Development _____
- ☐ Courts _____
- ☒ Finance *MP*
- ☐ Human Resources _____
- ☒ Legal */s/TG*
- ☐ Marina _____
- ☐ Police _____
- ☐ Parks, Recreation & Senior Services _____
- ☒ Public Works *WPS*

APPROVED BY CITY MANAGER
FOR SUBMITTAL: _____

Purpose and Recommendation

The purpose of this Committee item is to provide an update to the City's Draft Transportation Improvement Plan (TIP). This item is informational only and does not require Committee action.

Background

Each year the City of Des Moines, and all cities and counties in Washington State, submit a Transportation Improvement Plan (TIP) to the State as required by RCW 35.77.010. This document is useful for agencies to plan and prioritize transportation system improvements while also provide a consistent process for interagency coordination to identify need and funding requirements on a regional and statewide basis.

The City of Des Moines' Draft TIP (Attachment 1) is a long range, 20-year transportation plan that identifies motorized and non-motorized needs that are not financially constrained. Each project is listed along with a brief description of the proposed improvements. Proposed project schedules and preliminary level cost estimates identify strategic project planning. The costs are broken down into three categories: Engineering (PE), Right-of-Way acquisition (RW), and Construction (CN) which are consistent with State and regional project programming designations.

The plan is derived from the City's Comprehensive Transportation Plan (CTP) and is a list of prioritized projects based primarily on:

- CTP (Safety, capacity, non-motorized, and transit needs).
- Analysis of existing system (Traffic engineering studies, citizen input, etc.).
- Interagency Coordination (Franchise Utility, SeaTac, Sound Transit, etc.).

The TIP is utilized to:

- Fulfill reporting requirements by State Law (RCW 35.77.010) by July 31st.
- Direct the development of the 6-year Capital Improvement Plan (CIP).
- Provide coordination between franchise utilities and neighboring agencies.
- Fulfill reporting to the Washington State Department of Transportation (WSDOT) and the Puget Sound Regional Council (PSRC) in order to pursue loan and grant opportunities.

The completed TIP is sent to utility companies as well as adjacent cities for their information, and for project coordination planning. Some cities choose to list high priorities projects that are not within their city limits, or projects that will be managed by other agencies. The City of Des Moines Comprehensive Transportation Plan (CTP) lists projects that are outside of its boundaries.

Discussion

Staff updated the previous TIP (2025-2044) with the most current project funding information and expenditure schedule, and is forwarding this Draft 2026-2045 TIP to the full Council.

Proposed changes within the Draft 2026-2045 TIP from previous years include:

- Priority 7 – Barnes Creek Trail – South Segment
 - **Revise Project Limits and Description** to remove portion of trail completed on 16th Ave S from Kent-Des Moines Road to S 240th Street
- Priority 9 – Neighborhood Traffic Calming Program
 - **Reprioritize** from Priority 32 to Priority to 9 to highlight importance of new formal program
- Priority 11 – S 200th Street & S 199th Street Improvements (Segment 1)
 - **Revise Description** to indicate project is also known as the North Hill Elementary Walkway Improvements Project
- Priority 14 – College Way
 - **Remove/Completion 2024**
- Priority 74 – S 220th Street Cul-de-Sac Improvements
 - **Remove/Completion 2024**
- Priority 75 – S 221st Street Cul-de-Sac Improvements
 - **Remove/Completion 2024**

The Council can choose to make various changes to the TIP; projects can be moved to different years, added to or taken off the TIP, and priority numbers can be changed.

Although this plan does not commit the City to any expenditures, it does allow the City to make application for many types of grants or other sources of funds. Frequently, project loans or grants require that individual projects be on a plan adopted by the City Council. Furthermore, projects using Federal funding are specifically required to be identified on the City's TIP.

At the June 26th City Council meeting, staff will bring forward for consideration during a Public Hearing, the 2026-2045 Transportation Improvement Plan.

ATTACHMENT A

Agency: City of Des Moines, WA
 County No.: 17 County Name: King County
 City No.: 0325 MPO/RTPO: PSRC

From: 2026 To: 2045
 Hearing Date: 06/26/25 Adoption Date: x/xx/xxxx
 Amend Date: XXX Resolution Number: xxxx

Proposed Priority No.	City Project Number	Project Identification	Project Phase	Project Cost in Thousands of Dollars				Local Agency Expenditure Schedule (Year)					
				Fund Source				2026	2027	2028	2029-2031	2032-2035	2036-2045
				Federal Funds	State Funds	Local Funds	Total Funds						
1	PRES-1.0	Pavement Preservation Program Citywide Maintain and preserve the City's roadway surfaces through pavement rehabilitation measures such as overlays/patching, crack sealing and other preventative maintenance measures.	PE RW CN			380 17100	380 17100	20 900	20 900	20 900	60 2700	80 3600	180 8100
				0	0	17480	17480	920	920	920	2760	3680	8280
2	TRAF-5.0	Traffic Safety Improvement Program (ASE) Citywide Respond to capital needs associated with traffic and pedestrian safety. These funds would be primarily focused on capital projects near existing schools and other traffic safety related concerns.	PE RW CN			152 1900	152 1900	8 100	8 100	8 100	24 300	32 400	72 900
				0	0	2052	2052	108	108	108	324	432	972
3	PRES-5.0	ADA Compliance Program Citywide Installation of Right-of-Way and facility improvements.	PE RW CN			290 1450	290 1450	20 100	20 100	20 100	60 300	80 400	90 450
				0	0	1740	1740	120	120	120	360	480	540
4	TIF-2.2	24th Ave S. Improvement Project (Segment 2) 24th Ave. S from: S 223rd Street to: Kent-Des Moines Road Sidewalk, curb, gutter & drainage improvements in conjunction with SWM's 24th Ave Pipeline Replacement. Provide 2-way left turn lane and enhanced pedestrian crossings.	PE RW CN				0 0 4900	4900					
				0	3300	1600	4900	4900	0	0	0	0	0
5	S-25.0	Sound Transit - Link Light Rail from: S 216th Street to: S 272nd Street Coordination on Link Light Rail Alignment	PE RW CN			20 40	20 40	20 40					
				0	0	60	60	60	0	0	0	0	0
6	S-32.0	WSDOT - SR509 Gateway and S 216th Street Bridge from: S 216th Street to: S 272nd Street Coordination on SR 509 Gateway.	PE RW CN				0 0 250	250					
				0	0	250	250	250	0	0	0	0	0
7	TRAIL-2.3	Barnes Creek Trail - South Segment from: 16th Ave. S to: Highline College Construct shared use path/trail along the north side of S 240th Street. Potential non-motorized facilities on the south side of S 240th Street and associated traffic safety enhancements.	PE RW CN		300 3000	600 3000	300 600 6000	300 600 6000					
				0	3300	3600	6900	6900	0	0	0	0	0

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8	S-21.2	S 240th Street Improvements (Segment 2) S 240th Street from: 20th Ave. S to: 16th Ave. S Reconstruct roadway including two travel lanes, bicycle lanes, curb, gutter and sidewalks.	PE RW CN		200 150 4800	100 50 1200	300 200 6000	300 200 6000					
				0	5150	1350	6500	6500	0	0	0	0	0
9	TRAF-3.0	Neighborhood Traffic Calming Program Citywide Respond to traffic calming concerns.	PE RW CN			200 800	200 0 800	10 40	10 40	10 40	30 120	40 160	100 400
				0	0	1000	1000	50	50	50	150	200	500
10	TRAF- 4.0	Guardrail Program Citywide Install new guardrail and upgrade existing installations.	PE RW CN			18 227	18 0 227	2 23		2 23	4 66	10 115	
				0	0	245	245	25	0	25	70	125	0
11	S-3.1	S 200th Street & S 199th Street Improvements (Segment 1) S 200th Street from: DMMD to: 8th Ave. S Known as the North Hill Elementary Walkway Improvements Project. Install curbs, gutters, sidewalks, & bike lanes.	PE RW CN		430 235 1700	20 65 900	450 300 2600	450 300 2000		600			
				0	2365	985	3350	2750	600	0	0	0	0
12	TIF-2.1	24th Ave. S Improvement Project (Segment 1) 24th Ave. S from: S 216th Street to: S 223rd Street Sidewalk, curb, gutter & drainage improvements. Provide 2-way left turn lane.	PE RW CN		480 112 4000	120 28 1000	600 140 5000				600 140		5000
				0	4592	1148	5740	0	0	0	740	5000	0
13	S-21.3	S 240th Street Improvements (Segment 3) S 240th Street from: 16th Ave. S to: Marine View Drive Reconstruct roadway including two travel lanes, bicycle lanes, curb, gutter and sidewalks.	PE RW CN		500 350 3200	50 50 1900	550 400 5100			550 400		5100	
				0	4050	2000	6050	0	0	950	5100	0	0
14	TIF-5.0	College Way from: SR-99 to: Highline College Expand roadway intended to connect the Kent Des Moines light rail station at S 236th Street and 30th Ave S along 236th Street and College Way to a street end just inside the western edge of the Highline College.	PE RW CN			950	0 0 950	950					
				0	0	950	950	950	0	0	0	0	0

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15	TIF-16.0	Marine View Drive and S 240th Street Project Intersection Project from: to: Reconstruct roadway to improve horizontal alignment. Provide pedestrian facilities, and widen approaches. Install roundabout or traffic signal if warranted.	PE RW CN			165 100 1900	165 100 1900			165 100	1900		
				0	0	2165	2165	0	0	265	1900	0	0
16	S-5.0	S 223rd Street / Cliff Ave. Street Improvements Cliff Ave/South 223rd Street from: Cliff Ave to: 8th Ave. S Corridor redevelopment as part of the overall Marina Redevelopment priority. Targets non-motorized users, connectivity between downtown and Marina, as well as the analysis of strategic storm water quality	PE RW CN			500 0 8000	500 0 8000					500 8000	
				0	4000	4500	8500	0	0	0	0	8500	0
17	PL-1.0	CTP Update from: to:	PE RW CN			1500 0 0	1500 0 0			700			800
				0	0	1500	1500	0	0	700	0	0	800
18	S-21.1	S 240th Street Improvements (Segment 1) S 240th Street from: East City Limits to: 20th Ave. S Reconstruct roadway including two travel lanes, two-way left turn lane, bicycle lanes, curb, gutter and sidewalks.	PE RW CN		200 150 4800	100 50 1200	300 200 6000				300	200 6000	
				0	5150	1350	6500	0	0	0	300	6200	0
19	PRNIP-S2.0	S 224th Street Improvements Pacific Ridge NIP S2 from: Pacific Highway S to: 30th Ave. S Reconstruct roadway. Complete curb, gutter, and sidewalk improvements.	PE RW CN			113 95 700	113 95 700	113	95 700				
				0	0	908	908	113	795	0	0	0	0
20	TRAF-8.0	Redondo Area Parking Management Project Redondo Area Installation of parking management system on S 282nd Street, Redondo Way, and portions of Sound View Dr.	PE RW CN			25 0 325	25 0 325	25 325					
				0	0	350	350	350	0	0	0	0	0
21	TRAF-7.0	Redondo Area Street Lights Neighborhood streets in the lower Redondo area from: S 281st Street to: South City Limits Install conduit and street lighting in local road areas currently without lighting	PE RW CN			10 0 60	10 0 60			10 60			
				0	0	70	70	0	0	70	0	0	0

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22	TIF-23.0	Marine View Drive ITS Project from: Kent-Des Moines Road to: DMMD Coordinate and optimize signal timing by installing fiber optic signal communications.	PE RW CN		110	100	100 0 210	10 210					
				0	110	110	220	220	0	0	0	0	0
23	TRAIL-2.1	Barnes Creek Trail - North Segment Following SR 509 Right-of-Way from: S 216th Street to: S 223rd Street Construct shared use path/trail along old SR509 ROW.	PE RW CN		300	285	585 250 4900	535 250		50			
				0	3500	2235	5735	785	1900	3050	0	0	0
24	TRAIL-2.2	Barnes Creek Trail - Central Segment Following SR 509 Right-of-Way from: S 223rd Street to: 16th Ave. S Construct shared use path/trail along old SR509 ROW and South side of Kent-Des Moines Road	PE RW CN	85 3460		200 15 540	200 100 4000					200 100 4000	
				3545	0	755	4300	0	0	0	0	4300	0
25	S-24.0	Downtown Des Moines Improvements from: S 227th/220&223 to: 6th/8th Provide sidewalks 6th Ave. S. & side streets from S.227th to S.220th/8th Ave S (west side) & side streets and alleys from S.227th to S.223rd. May include street & water distribution upgrades. May include S 222nd cul-de-sac roadway improvements.	PE RW CN			700 3500	700 3500 0					700 3500	
				0	0	4200	4200	0	0	0	0	4200	0
26	ITS-1.0	Traffic Management Center (TMC) Citywide/Public Works - Engineering Continue to improve communication and coordination with WSDOT and King County Traffic Management Centers. Implement Citywide ITS program.	PE RW CN			10 50	10 0 50			10 50			
				0	0	60	60	0	0	60	0	0	0
27	TRAF-9.0	Redondo Beach Drive - Seawall Pile Corrosion Project from: S 283rd Street to: Redondo Shores Drive S Corrosion protection for seawall H-Piles.	PE RW CN			30 300	30 0 300			30		300	
				0	0	330	330	0	0	30	300	0	0
28	S-8.0	Redondo Way Sidewalk Project Redondo Way South from: Redondo Beach Dr. to: East of Sound View Drive Install curb, gutter, & sidewalk on north side of Redondo Way between Redondo Beach Drive and Sound View Drive	PE RW CN			100 1000	100 0 1000				25	75 1000	
				0	0	1100	1100	0	0	0	25	1075	0

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29	PL-4.0	Parking Management Plan (Highline College Area) from: to: Develop a parking management plan strategy and apply program and actions.	PE RW CN			100	100 0 0			50	50		
				0	0	100	100	0	0	50	50	0	0
30	TIF-4.2	Kent-Des Moines Road Improvements (Segment 2) (SR 516) from: 24th Ave. S to: Pacific Highway South Widen roadway to provide pedestrian facilities and additional turn lanes. Joint with City of Kent.	PE RW CN		400	485	485 100 500				485 500 6300		
				2300	2300	1700	6300						
				2300	2700	2285	7285	0	0	0	7285	0	0
31	INT-7.0	Pacific Highway S and S 240th Street Project Intersection Improvements from: to: Widen to provide dual left turn pocket for eastbound approach, revise signal timing. Coordinate with the City of Kent.	PE RW CN		500 500 3000	100	600 500 3000					600 500 3000	
				0	4000	100	4100	0	0	0	0	4100	0
32	TIF-6.0	16th Ave. S / 18th Ave. S Road Improvements Following along old SR 509 Right-of-Way from: S 220th Street to: S 216th Street Construct new neighborhood collector alignment along 16/18th Ave. S.. corridor, incl. curb/gutter. May be shared use path constructed along R/W so pedestrian/bicycle facilities may be away from roadway alignment.	PE RW CN		300 2200	300 500	600 0 2700					600 2700	
				0	2500	800	3300	0	0	0	0	3300	0
33	PL-2.0	Downtown Circulation Study from: to: Develop a plan to maximize multi-modal use, pedestrian access and traffic operations.	PE RW CN			100	100 0 0				100		
				0	0	100	100	0	0	0	100	0	0
34	PL-3.0	Parking Management Plan (Downtown) from: to: Develop a parking management plan strategy and apply program and actions.	PE RW CN			100	100 0 0				100		
				0	0	100	100	0	0	0	100	0	0
35	S-30.0	Wooten Park Access and Parking Improvements North of Redondo Way South from: Redondo Way South to: South 282nd St Increase parking with a new parking lot east of Wooten Park	PE RW CN			150	150 0 1500				50	100 1500	
				0	0	1650	1650	0	0	0	50	1600	0

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36	S-1.0	Des Moines Memorial Drive Improvements Des Moines Memorial Drive from: S 208th Street to: Marine View Drive Install bike lanes, curb, gutter, drainage & sidewalks. Add a lane to approach to Marine View Dr.& left turn pockets where feasible.	PE RW CN		250 200 5000	500 150 2000	750 350 7000					750 350 7000	
				0	5450	2650	8100	0	0	0	0	8100	0
37	TIF-14.0	Des Moines Memorial Drive and Marine View Drive Intersection Improvements from: to: Lengthen approach lanes, coordinate signal with MVD and 7th/216th. Consider possibility of a Round-About.	PE RW CN		100 60 1600	300 40 400	400 100 2000					400 100 2000	
				0	1760	740	2500	0	0	0	0	2500	0
38	INT-8.0	Marine View Drive and 7th/216th Street Project Intersection Improvements from: to: Optimize signal timing, and coordinate signal with DMMD and MVD intersection.	PE RW CN			30 270	30 270 0					30 270	
				0	0	300	300	0	0	0	0	300	0
39	S-2.1	8th Ave. S Improvement Project (Segment 1) 8th Avenue South (North Hill) from: North City Limits to: S. 200th Street Reconstruct to Minor Arterial standards including bike lanes, curbs, gutters, and sidewalks.	PE RW CN			700 4000	700 4000 0					700 4000	
				0	0	4700	4700	0	0	0	0	4700	0
40	TIF-4.3	Kent-Des Moines Road Improvements (Segment 3) (SR 516) from: Marine View Drive to: 16th Ave. South Widen roadway to provide pedestrian facilities and additional lanes where warranted.	PE RW CN	2000	2500	1400 1000 2100	1400 1000 6600						1400 1000 6600
				2000	2500	4500	9000	0	0	0	0	0	9000
41	INT-10.0	Marine View Drive and Kent-Des Moines Road Project Intersection Improvements from: to: Add a second eastbound through lane through the intersection.	PE RW CN	600	400 500 1000	200 300	600 800 1600					600 800 1600	
				600	1900	500	3000	0	0	0	0	3000	0
42	TIF-15.0	Marine View Drive and S 227th Street Project Intersection Improvements from: to: Revise lane configuration to single eastbound right with overlap signal phase. Add second southbound through lane at intersection.	PE RW CN		100 500	40 60	140 0 560					140 560	
				0	600	100	700	0	0	0	0	700	0

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43	TIF-4.1	Kent-Des Moines Road Improvements (Segment 1) (SR 516) from: 16th Ave. S. to: 24th Ave. S. Widen roadway to provide pedestrian facilities and center 2-way turn lane where warranted	PE RW CN	500	2500	700 600 1700	700 600 4700					700 600 4700	
				500	2500	3000	6000	0	0	0	0	6000	0
44	S-27.0	30th Ave S. Over-Crossing Bridge Crossing over Kent-Des Moines Road from: to: Construct vehicular or ped/bike bridge over Kent Des Moines Road linking Pacific Ridge with Midway. Coordinate with Kent.	PE RW CN			750 800 6500	750 800 6500						750 800 6500
				0	0	8050	8050	0	0	0	0	0	8050
45	S-20.0	Redondo Beach Drive Sidewalk Project Redondo Beach Drive from: S. 281st St to: South City Limits Install sidewalk where missing and make pedestrian improvements.	PE RW CN			100 0 500	100 0 500					100 0 500	
				0	0	600	600	0	0	0	0	600	0
46	S-3.2	S 200th Street & S 199th Street Improvements (Segment 2) from: 8th Ave S to: 1st Ave. S. Install curbs, gutters, sidewalks, & bike lanes.	PE RW CN		100 50 1200	200 50 600	300 100 1800					300 100 1800	
				0	1350	850	2200	0	0	0	0	2200	0
47	TIF-7.5a	16th Ave. S Improvements Project (Segment 5a) 16th Avenue South from: S. 272nd St. to: S. 276th Street Widen to provide 3-lane roadway w/curbs, gutters, bike lanes & sidewalks. Provide new alignment to Pacific Hwy. S. if feasible. Joint project w/City of Federal Way. Also coordinate w/City of Kent and King County Metro.	PE RW CN		60 1200	140 40 600	140 100 1800					140 100 1800	
				0	1260	780	2040	0	0	0	0	2040	0
48	TIF-3.3 TIF-17.0	16th Ave. S Improvements Project (Segment 3) 16th Avenue South from: Kent-Des Moines Rd. to: S. 240th St. Widen to provide center turn lane at apartment driveways south of Kent- Des Moines Road. Provide bus pullouts.	PE RW CN		2000	400 500 1200	400 500 3200					400 500 3200	
				0	2000	2100	4100	0	0	0	0	4100	0
49	TIF-3.2	16th Ave. S Improvements Project (Segment 2) 16th Avenue South from: S. 260th St. to: S. 250th Street Install curbs, gutters and sidewalks and bike lanes. Provide 2-way left turn lane.	PE RW CN		3000	1200 300 2100	1200 300 5100						1200 300 5100
				0	3000	3600	6600	0	0	0	0	0	6600

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				Fund Source				2026	2027	2028	2029-2031	2032-2035	2036-2045
				Federal Funds	State Funds	Local Funds	Total Funds						
50	S-12.0	S 208th Street Sidewalk Project South 208th Street from: 1st Ave. S. to: DMMD Install sidewalk and make pedestrian improvements.	PE RW CN			260 40 1300	260 40 1300						260 40 1300
				0	0	1600	1600	0	0	0	0	0	1600
51	TIF-8.2	20th Ave. S Improvements Project (Segment 2) 20th Avenue South from: S. 240th St. to: S. 243rd Street Reconstruct and extend neighborhood collector street with curb, gutter and sidewalks.	PE RW CN			300 1200	300 1200						300 1200
				0	0	1500	1500	0	0	0	0	0	1500
52	S-6.0	20th Ave S. Improvements Project (Segment 1) 20th Avenue South from: S. 243rd St. to: S. 250th Street Reconstruct to Neighborhood Collector standards and provide curb, gutter and sidewalks.	PE RW CN		200 1000	200 1000	400 0 2000						400 0 2000
				0	1200	1200	2400	0	0	0	0	0	2400
53	S-7.0	S 250th / 251st Street Improvements South 250th/251st Street from: Marine View Drive to: 16th Ave. S. Construct bike lanes and curb, gutter and sidewalk on both sides.	PE RW CN		50 25 1200	300 25 1200	350 50 2400						350 50 2400
				0	1275	1525	2800	0	0	0	0	0	2800
54	TIF-18.0	16th Ave S. and S 250th Street Project Intersection Improvements from: to: Add eastbound right turn pocket.	PE RW CN			50 200	50 0 200						50 0 200
				0	0	250	250	0	0	0	0	0	250
55	S-9.0	S 272nd Street / Marine View Drive Project from: to: Reconstruct roadway to improve horizontal and vertical alignment.	PE RW CN			150 500 150	150 0 650						150 0 650
				0	500	300	800	0	0	0	0	0	800
56	INT-6.0	Pacific Highway S and S 260th Street Intersection Improvements from: to: Revise signal timing. Coordinate with the City of Kent.	PE RW CN			20 120	40 0 120						40 0 120
				0	140	20	160	0	0	0	0	0	160

ATTACHMENT A

Agency: City of Des Moines, WA
 County No.: 17 County Name: King County
 City No.: 0325 MPO/RTPO: PSRC

From: 2026 To: 2045
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Proposed Priority No.	City Project Number	Project Identification	Project Phase	Project Cost in Thousands of Dollars				Local Agency Expenditure Schedule (Year)					
				Fund Source				2026	2027	2028	2029-2031	2032-2035	2036-2045
				Federal Funds	State Funds	Local Funds	Total Funds						
57	TIF-3.4 TIF-17.0	16th Ave. S Improvements Project (Segment 4) 16th Avenue South from: S. 240th St. to: S. 250th St. Widen to three lane minor arterial with curbs, gutters, bike lanes and sidewalks.	PE RW CN			800 200 1500	800 200 3500						800 200 3500
				0	2000	2500	4500	0	0	0	0	0	4500
58	S-10.0	S 222nd Street Improvements Project South 222nd Street from: Marine View Drive to: Pacific Highway South Reconstruct to Neighborhood Collector standards including two travel lanes, bicycle lanes, curb, gutter and sidewalks.	PE RW CN		300 2000	200 500	500 2500						500 2500
				0	2300	700	3000	0	0	0	0	0	3000
59	S-33.1b	S 216th Street Improvements (Segment 1b) Transportation Gateway Project (1 of 4 projects) South 216th Street from: East City Limits to: Pacific Highway South Widen to provide additional travel lanes, bike lanes, curb, gutter, & sidewalks. Project coordinated with WSDOT construction of SR509 to replace the I-5 overcrossing with transitions to the planned lane configuration.	PE RW CN	800	800	500 800 1000	500 800 2600						500 800 2600
				800	800	2300	3900	0	0	0	0	0	3900
60	TIF-7.5b	16th Ave. S Improvements Project (Segment 5b) 16th Avenue South from: S. 276th St. to: Pacific Highway South Widen to provide 3-land roadway w/curbs, gutters, bike lanes & sidewalks. Provide new alignment to Pacific Hwy. S. if feasible. Joint project w/City of Federal Way. Also coordinate w/City of Kent and King County Metro.	PE RW CN		240 900 1660	200 600 800	440 1500 2460						440 1500 2460
				0	2800	1600	4400	0	0	0	0	0	4400
61	S-28.0	S 240th Street Overcrossing Bridge Crossing over I-5 from: Pacific Highway South to: Military Road Construct bridge over Interstate 5. Coordinate with City of Kent.	PE RW CN			2000 1500 10000	2000 1500 10000						2000 1500 10000
				0		13500	13500	0	0	0	0	0	13500
62	S-23.0	Marina Bike Connection from: S. 227th Street to: Cliff Ave. S. Install bike connection through the Marina to link the Des Moines Creek Trail to S. 227th St.	PE RW CN			60 0 100	60 0 100						60 0 100
				0	0	160	160	0	0	0	0	0	160
63	S-11.0	S 272nd Street Improvements Project South 272nd Street from: Pacific Highway South to: 16th Ave. S. Install access control to enhance safety.	PE RW CN			20 80	20 0 80						20 0 80
				0	0	100	100	0	0	0	0	0	100

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Proposed Priority No.	City Project Number	Project Identification	Project Phase	Project Cost in Thousands of Dollars				Local Agency Expenditure Schedule (Year)					
				Fund Source				2026	2027	2028	2029-2031	2032-2035	2036-2045
				Federal Funds	State Funds	Local Funds	Total Funds						
64	INT-5.0	Redondo Beach Drive and Redondo Way S Project Intersection Improvements from: to: Install traffic signal, or consider other intersection treatments to enhance capacity.	PE RW CN		60 400	60 200	120 0 600						120 0 600
				0	460	260	720	0	0	0	0	0	720
65	PRNIP-N2.0	S 220th Street Improvements Pacific Ridge NIP N2 from: Pacific Highway South to: 30th Ave. S. Reconstruct roadway	PE RW CN			150 50 800	150 50 800						150 50 800
				0	0	1000	1000	0	0	0	0	0	1000
66	TIF-12.0	S 220th Street and Pacific Highway S Intersection Improvements from: to: Widen for left turn pockets, adjust roadway profile and approach grades, and revise signal phasing to remove split phasing	PE RW CN		100 500	50 50	150 0 550						150 0 550
				0	600	100	700	0	0	0	0	0	700
67	PRNIP-S4.0	S 225th Pl. Connection Improvements Pacific Ridge NIP S4 from: Pacific Highway South to: 30th Ave. S. Construct new pedestrian connection and potential roadway	PE RW CN			700 400 3500	700 400 3500						700 400 3500
				0	0	4600	4600	0	0	0	0	0	4600
68	PRNIP-N4.0	S 222nd Pl. Connection Improvements Pacific Ridge NIP N4 from: 28th Ave. S. to: 30th Ave. S. Construct new roadway	PE RW CN			350 350 1200	350 350 1200						350 350 1200
				0	0	1900	1900	0	0	0	0	0	1900
69	S-22.0	S 227th Street Improvements South 227th Street from: West City Limits to: Marine View Dr. Reconstruct roadway to improve bicycle connection between Marina and Marine View Drive	PE RW CN			150 0 1000	150 0 1000						150 0 1000
				0	0	1150	1150	0	0	0	0	0	1150
70	PRNIP-N1.0	30th Ave. S Improvements (Segment 1) Pacific Ridge NIP N1 from: S. 216th St. to: S. 220th St. Reconstruct roadway	PE RW CN			300 100 1200	300 100 1200						300 100 1200
				0	0	1600	1600	0	0	0	0	0	1600

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Proposed Priority No.	City Project Number	Project Identification	Project Phase	Project Cost in Thousands of Dollars				Local Agency Expenditure Schedule (Year)					
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				Federal Funds	State Funds	Local Funds	Total Funds						
71	PRNIP-N5.0	30th Ave. S Improvements (Segment 2) Pacific Ridge NIP N5 from: S. 222nd Pl. to: n/o S. 224th St. Reconstruct roadway	PE RW CN			120 40 640	120 40 640						120 40 640
				0	0	800	800	0	0	0	0	0	800
72	PRNIP-S1.0	30th Ave. S Improvements (Segment 3) Pacific Ridge NIP S1 from: n/o S. 224th St. to: S. 224th St. Reconstruct roadway	PE RW CN			50 200	50 200						50 200
				0	0	250	250	0	0	0	0	0	250
73	PRNIP-S5.0	30th Ave. S Improvements (Segment 4) Pacific Ridge NIP S5 from: S. 224th St. to: Kent-Des Moines Rd. Reconstruct roadway	PE RW CN			600 200 3200	600 200 3200						600 200 3200
				0	0	4000	4000	0	0	0	0	0	4000
74	PRNIP-N3.2	S 220th Street Cul-de-Sac Improvements Pacific Ridge NIP N3 (1 of 3) from: Eastern terminus to: I-5 Reconstruct roadway	PE RW CN			50 200	50 200						50 200
				0	0	250	250	0	0	0	0	0	250
75	PRNIP-N3.3	S 221st Street Cul-de-Sac Improvements Pacific Ridge NIP N3 (1 of 3) from: Eastern terminus to: I-5 Reconstruct roadway	PE RW CN			50 200	50 200						50 200
				0	0	250	250	0	0	0	0	0	250
76	PRNIP-S3.0	S 224th Street Cul-de-Sac Improvements Pacific Ridge NIP S3 from: Eastern terminus to: I-5 Reconstruct roadway	PE RW CN			50 200	50 200						50 200
				0	0	250	250	0	0	0	0	0	250
77	INT-9.0	8th Ave. S and S 200th Street Project Intersection Improvements from: to: Install traffic signal, or consider other intersection treatments to enhance capacity.	PE RW CN			60 240	60 240						60 240
				0	0	300	300	0	0	0	0	0	300

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				Federal Funds	State Funds	Local Funds	Total Funds						
78	INT-1.0	24th Ave. S and S 222nd Street Project Intersection Improvements from: to: Install traffic signal, or consider other intersection treatments to enhance capacity.	PE RW CN			80 50 420	80 50 420						80 50 420
				0	0	550	550	0	0	0	0	0	550
79	TIF-22.0	S 240th Street and 20th Ave. S Improvements Project Intersection Improvements from: to: Widen to provide left turn pockets. Install traffic signal at 20th and 240th if warranted.	PE RW CN		125 25 700	125 25 700	250 50 1400						250 50 1400
				0	850	850	1700	0	0	0	0	0	1700
80	TIF-19.0	Des Moines Memorial Drive and S 208th Street Project Intersection Improvements from: to: Widen DMMD to add left turn pockets at S. 208th Street.	PE RW CN			50 0 200	50 0 200						50 0 200
				0	100	150	250	0	0	0	0	0	250
81	TIF-21.0	Des Moines Memorial Drive and S 212th Street Project Intersection Improvements from: to: Widen DMMD to add left turn pockets at S. 208th Street.	PE RW CN			50 0 200	50 0 200						50 0 200
				0	100	150	250	0	0	0	0	0	250
82	S-19.0	S 272nd Street / 10th Ave. S Project South 272nd Street / 10th Avenue South from: 16th Ave. S. to: Redondo beach Drive Install sidewalk and make pedestrian improvements.	PE RW CN		700 800 2250	700 800 2250	1400 1600 4500						1400 1600 4500
				0	3750	3750	7500	0	0	0	0	0	7500
83	S-2.2	8th Ave. S Improvements Project (Segment 2) 8th Avenue South (North Hill) from: S. 200th Street to: S. 208th Street Reconstruct to Minor Arterial standards including bike lanes, curbs, gutters, and sidewalks.	PE RW CN			800 2500	800 2500						800 2500
				0	0	3300	3300	0	0	0	0	0	3300
84	S-31.2	4th Ave. S Improvements Project (Segment 2) 4th Avenue South (North Hill) from: S. 208th Street to: S. 216th Street Reconstruct to Minor Arterial standards including bike lanes, curbs, gutters, and sidewalks.	PE RW CN			800 2500	800 2500						800 2500
				0	0	3300	3300	0	0	0	0	0	3300

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Proposed Priority No.	City Project Number	Project Identification	Project Phase	Project Cost in Thousands of Dollars				Local Agency Expenditure Schedule (Year)					
				Fund Source				2026	2027	2028	2029-2031	2032-2035	2036-2045
				Federal Funds	State Funds	Local Funds	Total Funds						
85	S-31.1	4th Ave. S Improvements Project (Segment 1) 4th Avenue South (North Hill) from: S. 199th Street to: S. 208th Street Reconstruct to Minor Arterial standards including bike lanes, curbs, gutters, and sidewalks.	PE RW CN			800	800						800
						2500	2500						2500
				0	0	3300	3300	0	0	0	0	0	3300
86	S-17.0	Marine View Drive Sidewalk Project Marine View Drive from: S. 250th Street to: Woodmont Dr. S. Install sidewalk and make pedestrian improvements.	PE RW CN			300	300						300
						50	50						50
						2150	2150						2150
87	S-18.0	Woodmont Drive S Sidewalk Project Woodmont Drive South from: Marine View Drive to: 16th Ave. S. Install sidewalk and make pedestrian improvements.	PE RW CN			350	350						350
						50	50						50
						2600	2600						2600
88	S-16.0	16th Ave. S Sidewalk Project 16th Avenue South from: S. 220th Street to: Kent-Des Moines Road Install sidewalk and make pedestrian improvements.	PE RW CN			200	200						200
						50	50						50
						1650	1650						1650
89	S-13.0	S 220th Street Sidewalk Project South 220th Street from: 11th Ave. S. to: 16th Ave. S. Install sidewalk and make pedestrian improvements.	PE RW CN			160	160						160
						40	40						40
						900	900						900
90	S-14.0	9th Ave. S Sidewalk Project 9th Avenue South from: S. 220th Street to: S. 223rd Street Install sidewalk and make pedestrian improvements.	PE RW CN			80	80						80
						20	20						20
						400	400						400
91	S-15.0	10th Ave. S Sidewalk Project 10th Avenue South from: S. 220th Street to: Kent-Des Moines Road Install sidewalk and make pedestrian improvements.	PE RW CN			200	200						200
						50	50						50
						1250	1250						1250
				0	0	1500	1500	0	0	0	0	0	1500

TRANSPORTATION IMPROVEMENT PLAN (2026-2045)

COMMITTEE OF THE WHOLE

JUNE 5, 2025

TOMMY OWEN, P.E., PTOE
CITY ENGINEER

WHAT IS THE TRANSPORTATION IMPROVEMENT PLAN (TIP)?

- A prioritized list of 91 planned transportation projects
 - Not financially constrained
- Derived from the Comprehensive Transportation Plan (CTP)
 - Long Range Transportation Plan (20 year)
 - CTP sets policies, goals, and strategies to help guide decisions for existing and future transportation systems for all modes of travel
 - CTP Defines a manageable network of arterial roadways, priority pedestrian networks, priority bicycle networks, and transit service priorities to support the City

HOW DO PROJECTS GET INTO THE TIP?

- From Comprehensive Transportation Plan (CTP)
 - Safety, capacity, pedestrian and bicycle needs
 - Supports transit
- From Analysis of the City's Transportation System
 - Traffic engineering studies
 - Citizen input/concerns
- From Interagency and Utility Coordination
 - (ex. SeaTac/Sound Transit/WSDOT)

HOW IS THE TIP USED?

- Provides direction to staff for development of the 6-year Capital Improvement Plan (CIP)
- Project planning and coordination – utilities and neighboring cities
- Required by State Law (RCW 35.77.010) to submit annually (July 31st)
- Reported to WSDOT and PSRC
- Positions projects for future grants/loans

2026-2045 TIP DISCUSSION/PROCESS

- Committee discussion (tonight)
- Public Hearing June 26, 2025
 - Public Notice – Publish in *Seattle Times*
 - Public comment opportunity at hearing

2026-2045 TIP ACCOMPLISHMENTS AND HIGHLIGHTS

- Priority 1 – Pavement Preservation Program
 - 2025 overlay complete (16th Ave, 272nd Street, 281st Street/Redondo Beach Drive, 4th Place)
 - Potential partnership with Midway Sewer District for overlay of 16th Ave (240th Street to 250th Street)
- Priority 4 – 24th Ave S Improvements Project (Segment 2)
 - Under construction
- Priority 5 – Sound Transit – Link Light Rail
 - Construction complete, closeout items remaining
- Priority 6 – WSDOT – SR509 Gateway & South 216th Bridge
 - 216th Street Bridge construction complete

2026-2045 TIP ACCOMPLISHMENTS AND HIGHLIGHTS (CONT.)

- Priority 9 (proposed) – Neighborhood Traffic Calming Program
 - Implemented formal program
- Priority 14 – College Way
 - Construction complete
- Projects under design
 - Priority 7 – Barnes Creek Trail – South Segment
 - Priority 8 – S 240th Street Improvements (Segment 2)
 - Priority 11 – S 200th Street & S 199th Street Improvements (Segment 1)

2026-2045 TIP PROPOSED REVISIONS FROM PREVIOUS YEARS

- Priority 7 – Barnes Creek Trail – South Segment
 - **Revise project limits and description** to remove portion of trail completed on I 6th Ave S from Kent-Des Moines Road to S 240th Street
- Priority 9 – Neighborhood Traffic Calming Program
 - **Reprioritize** from Priority 32 to Priority to 9 to highlight importance of new formal program
- Priority 11 – S 200th Street & S 199th Street Improvements (Segment 1)
 - **Revise description** to indicate project is also known as the North Hill Elementary Walkway Improvements Project

2026-2045 TIP PROPOSED REVISIONS FROM PREVIOUS YEARS (CONT.)

- Priority 14 – College Way
 - **Remove/completion 2024**
- Priority 74 – S 220th Street Cul-de-Sac Improvements
 - **Remove/completion 2024**
- Priority 75 – S 221st Street Cul-de-Sac Improvements
 - **Remove/completion 2024**

Discussion?

Proposed Priority No.	City Project Number	Project Identification	Project Phase	Project Cost in Thousands of Dollars				Local Agency Expenditure Schedule (Year)					
				Fund Source				2026	2027	2028	2029-2031	2032-2035	2036-2045
				Federal Funds	State Funds	Local Funds	Total Funds						
1	PRES-1.0	Pavement Preservation Program Citywide Maintain and preserve the City's roadway surfaces through pavement rehabilitation measures such as overlays/patching, crack sealing and other preventative maintenance measures.	PE RW CN			380	380	20	20	20	60	80	180
						17100	17100	900	900	900	2700	3600	8100
				0	0	17480	17480	920	920	920	2760	3680	8280
2	TRAF-5.0	Traffic Safety Improvement Program (ASE) Citywide Respond to capital needs associated with traffic and pedestrian safety. These funds would be primarily focused on capital projects near existing schools and other traffic safety related concerns.	PE RW CN			152	152	8	8	8	24	32	72
						1900	1900	100	100	100	300	400	900
				0	0	2052	2052	108	108	108	324	432	972
3	PRES-5.0	ADA Compliance Program Citywide Installation of Right-of-Way and facility improvements.	PE RW CN			290	290	20	20	20	60	80	90
						1450	1450	100	100	100	300	400	450
				0	0	1740	1740	120	120	120	360	480	540
4	TIF-2.2	24th Ave S. Improvement Project (Segment 2) 24th Ave. S from: S 223rd Street to: Kent-Des Moines Road Sidewalk, curb, gutter & drainage improvements in conjunction with SWM's 24th Ave Pipeline Replacement. Provide 2-way left turn lane and enhanced pedestrian crossings.	PE RW CN				0						
					3300	1600	4900	4900					
				0	3300	1600	4900	4900	0	0	0	0	0
5	S-25.0	Sound Transit - Link Light Rail from: S 216th Street to: S 272nd Street Coordination on Link Light Rail Alignment	PE RW CN			20	20	20					
						40	40	40					
				0	0	60	60	60	0	0	0	0	0
6	S-32.0	WSDOT - SR509 Gateway and S 216th Street Bridge from: S 216th Street to: S 272nd Street Coordination on SR 509 Gateway.	PE RW CN				0						
						250	250	250					
				0	0	250	250	250	0	0	0	0	0
7	TRAIL-2.3	Barnes Creek Trail - South Segment from: 16th Ave. S to: Highline College Construct shared use path/trail along the north side of S 240th Street. Potential non-motorized facilities on the south side of S 240th Street and associated traffic safety enhancements.	PE RW CN		300	600	300	300					
					3000	3000	6000	6000					
				0	3300	3600	6900	6900	0	0	0	0	0

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				Federal Funds	State Funds	Local Funds	Total Funds						
8	S-21.2	S 240th Street Improvements (Segment 2) S 240th Street from: 20th Ave. S to: 16th Ave. S Reconstruct roadway including two travel lanes, bicycle lanes, curb, gutter and sidewalks.	PE RW CN		200 150 4800	100 50 1200	300 200 6000	300 200 6000					
				0	5150	1350	6500	6500	0	0	0	0	0
9	TRAF-3.0	Neighborhood Traffic Calming Program Citywide Respond to traffic calming concerns.	PE RW CN			200 0 800	200 0 800	10 40	10 40	10 40	30 120	40 160	100 400
				0	0	1000	1000	50	50	50	150	200	500
10	TRAF-4.0	Guardrail Program Citywide Install new guardrail and upgrade existing installations.	PE RW CN			18 0 227	18 0 227	2 23		2 23	4 66	10 115	
				0	0	245	245	25	0	25	70	125	0
11	S-3.1	S 200th Street & S 199th Street Improvements (Segment 1) S 200th Street from: DMMD to: 8th Ave. S Known as the North Hill Elementary Walkway Improvements Project. Install curbs, gutters, sidewalks, & bike lanes.	PE RW CN		430 235 1700	20 65 900	450 300 2600	450 300 2000		600			
				0	2385	985	3350	2750	600	0	0	0	0
12	TIF-2.1	24th Ave. S Improvement Project (Segment 1) 24th Ave. S from: S 216th Street to: S 223rd Street Sidewalk, curb, gutter & drainage improvements. Provide 2-way left turn lane.	PE RW CN		480 112 4000	120 28 1000	600 140 5000				600 140		
				0	4592	1148	5740	0	0	0	740	5000	0
13	S-21.3	S 240th Street Improvements (Segment 3) S 240th Street from: 16th Ave. S to: Marine View Drive Reconstruct roadway including two travel lanes, bicycle lanes, curb, gutter and sidewalks.	PE RW CN		500 350 3200	50 50 1900	550 400 5100			550 400			
				0	4050	2000	6050	0	0	950	5100	0	0
14	TIF-5.0	College Way from: SR-99 to: Highline College Expand roadway intended to connect the Kent Des Moines light rail station at S 236th Street and 30th Ave S along 236th Street and College Way to a street end just inside the western edge of the Highline College.	PE RW CN				0 0 950						
				0	0	950	950	950	0	0	0	0	0

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				Federal Funds	State Funds	Local Funds	Total Funds						
15	TIF-16.0	Marine View Drive and S 240th Street Project Intersection Project from: to: Reconstruct roadway to improve horizontal alignment. Provide pedestrian facilities, and widen approaches. Install roundabout or traffic signal if warranted.	PE RW CN			165 100 1900	165 100 1900			165 100	1900		
				0	0	2165	2165	0	0	265	1900	0	0
16	S-5.0	S 223rd Street / Cliff Ave. Street Improvements Cliff Ave/South 223rd Street from: Cliff Ave to: 8th Ave. S Corridor redevelopment as part of the overall Marina Redevelopment priority. Targets non-motorized users, connectivity between downtown and Marina, as well as the analysis of strategic storm water quality	PE RW CN			500 4000 4000	500 0 8000					500 8000	
				0	4000	4500	8500	0	0	0	0	8500	0
17	PL-1.0	CTP Update from: to:	PE RW CN			1500 0 0	1500 0 0			700			800
				0	0	1500	1500	0	0	700	0	0	800
18	S-21.1	S 240th Street Improvements (Segment 1) S 240th Street from: East City Limits to: 20th Ave. S Reconstruct roadway including two travel lanes, two-way left turn lane, bicycle lanes, curb, gutter and sidewalks.	PE RW CN		200 150 4800	100 50 1200	300 200 6000				300	200 6000	
				0	5150	1350	6500	0	0	0	300	6200	0
19	PRNIP-S2.0	S 224th Street Improvements Pacific Ridge NIP S2 from: Pacific Highway S to: 30th Ave. S Reconstruct roadway. Complete curb, gutter, and sidewalk improvements.	PE RW CN			113 95 700	113 95 700	113	95 700				
				0	0	908	908	113	795	0	0	0	0
20	TRAF-8.0	Redondo Area Parking Management Project Redondo Area Installation of parking management system on S 282nd Street, Redondo Way, and portions of Sound View Dr.	PE RW CN			25 325	25 325	25 325					
				0	0	350	350	350	0	0	0	0	0
21	TRAF-7.0	Redondo Area Street Lights Neighborhood streets in the lower Redondo area from: S 281st Street to: South City Limits Install conduit and street lighting in local road areas currently without lighting	PE RW CN			10 60	10 60			10 60			
				0	0	70	70	0	0	70	0	0	0

Proposed Priority No.	City Project Number	Project Identification	Project Phase	Project Cost in Thousands of Dollars				Local Agency Expenditure Schedule (Year)					
				Fund Source				2026	2027	2028	2029-2031	2032-2035	2036-2045
				Federal Funds	State Funds	Local Funds	Total Funds						
22	TIF-23.0	Marine View Drive ITS Project from: Kent-Des Moines Road to: DMMD Coordinate and optimize signal timing by installing fiber optic signal communications.	PE RW CN		110	100	10 0 210	10 210					
				0	110	110	220	220	0	0	0	0	0
23	TRAIL-2.1	Barnes Creek Trail - North Segment Following SR 509 Right-of-Way from: S 216th Street to: S 223rd Street Construct shared use path/trail along old SR509 ROW.	PE RW CN		300	285	585	535		50			
					3200	250	250	250	1900	3000			
				0	3500	1700	4900	785	1900	3050	0	0	0
24	TRAIL-2.2	Barnes Creek Trail - Central Segment Following SR 509 Right-of-Way from: S 223rd Street to: 16th Ave. S Construct shared use path/trail along old SR509 ROW and South side of Kent-Des Moines Road	PE RW CN	85 3460		200 15 540	200 100 4000					200 100 4000	
				3545	0	755	4300	0	0	0	0	4300	0
25	S-24.0	Downtown Des Moines Improvements from: S 227th/220&223 to: 6th/8th Provide sidewalks 6th Ave. S. & side streets from S.227th to S.220th/8th Ave S (west side) & side streets and alleys from S.227th to S.223rd. May include street & water distribution upgrades. May include S 222nd cul-de-sac roadway improvements.	PE RW CN			700 3500	700 3500 0					700 3500	
				0	0	4200	4200	0	0	0	0	4200	0
26	ITS-1.0	Traffic Management Center (TMC) Citywide/Public Works - Engineering Continue to improve communication and coordination with WSDOT and King County Traffic Management Centers. Implement Citywide ITS program.	PE RW CN			10 50	10 0 50			10 50			
				0	0	60	60	0	0	60	0	0	0
27	TRAF-9.0	Redondo Beach Drive - Seawall Pile Corrosion Project from: S 283rd Street to: Redondo Shores Drive S Corrosion protection for seawall H-Piles.	PE RW CN			30 300	30 0 300			30			
				0	0	330	330	0	0	30	300	0	0
28	S-8.0	Redondo Way Sidewalk Project Redondo Way South from: Redondo Beach Dr. to: East of Sound View Drive Install curb, gutter, & sidewalk on north side of Redondo Way between Redondo Beach Drive and Sound View Drive	PE RW CN			100 1000	100 0 1000				25	75 1000	
				0	0	1100	1100	0	0	0	25	1075	0

Proposed Priority No.	City Project Number	Project Identification	Project Phase	Project Cost in Thousands of Dollars				Local Agency Expenditure Schedule (Year)					
				Fund Source				2026	2027	2028	2029-2031	2032-2035	2036-2045
				Federal Funds	State Funds	Local Funds	Total Funds						
29	PL-4.0	Parking Management Plan (Highline College Area) from: to: Develop a parking management plan strategy and apply program and actions.	PE RW CN			100	100 0 0			50	50		
				0	0	100	100	0	0	50	50	0	0
30	TIF-4.2	Kent-Des Moines Road Improvements (Segment 2) (SR 516) from: 24th Ave. S to: Pacific Highway South Widen roadway to provide pedestrian facilities and additional turn lanes. Joint with City of Kent.	PE RW CN		400	485	485 500 6300				485 500 6300		
				2300	2300	1700	6300	0	0	0	7285	0	0
31	INT-7.0	Pacific Highway S and S 240th Street Project Intersection Improvements from: to: Widen to provide dual left turn pocket for eastbound approach, revise signal timing. Coordinate with the City of Kent.	PE RW CN		500	100	600 500 3000					600 500 3000	
				0	4000	100	4100	0	0	0	0	4100	0
32	TIF-6.0	16th Ave. S / 18th Ave. S Road Improvements Following along old SR 509 Right-of-Way from: S 220th Street to: S 216th Street Construct new neighborhood collector alignment along 16/18th Ave. S., corridor, incl. curb/gutter. May be shared use path constructed along R/W so pedestrian/bicycle facilities may be away from roadway alignment.	PE RW CN		300	300	600 0 2700					600 2700	
				0	2500	800	3300	0	0	0	0	3300	0
33	PL-2.0	Downtown Circulation Study from: to: Develop a plan to maximize multi-modal use, pedestrian access and traffic operations.	PE RW CN			100	100 0 0				100		
				0	0	100	100	0	0	0	100	0	0
34	PL-3.0	Parking Management Plan (Downtown) from: to: Develop a parking management plan strategy and apply program and actions.	PE RW CN			100	100 0 0				100		
				0	0	100	100	0	0	0	100	0	0
35	S-30.0	Wooten Park Access and Parking Improvements North of Redondo Way South from: Redondo Way South to: South 282nd St Increase parking with a new parking lot east of Wooten Park	PE RW CN			150	150 0 1500				50	100 1500	
				0	0	1650	1650	0	0	0	50	1600	0

Proposed Priority No.	City Project Number	Project Identification	Project Phase	Project Cost in Thousands of Dollars				Local Agency Expenditure Schedule (Year)					
				Fund Source				2026	2027	2028	2029-2031	2032-2035	2036-2045
				Federal Funds	State Funds	Local Funds	Total Funds						
36	S-1.0	Des Moines Memorial Drive Improvements Des Moines Memorial Drive from: S 208th Street to: Marine View Drive Install bike lanes, curb, gutter, drainage & sidewalks. Add a lane to approach to Marine View Dr. & left turn pockets where feasible.	PE RW CN		250 200 5000	500 150 2000	750 350 7000					750 350 7000	
				0	5450	2650	8100	0	0	0	0	8100	0
37	TIF-14.0	Des Moines Memorial Drive and Marine View Drive Intersection Improvements from: to: Lengthen approach lanes, coordinate signal with MVD and 7th/216th. Consider possibility of a Round-About.	PE RW CN		100 60 1600	300 40 400	400 100 2000					400 100 2000	
				0	1760	740	2500	0	0	0	0	2500	0
38	INT-8.0	Marine View Drive and 7th/216th Street Project Intersection Improvements from: to: Optimize signal timing, and coordinate signal with DMMD and MVD intersection.	PE RW CN			30 270	30 270 0					30 270	
				0	0	300	300	0	0	0	0	300	0
39	S-2.1	8th Ave. S Improvement Project (Segment 1) 8th Avenue South (North Hill) from: North City Limits to: S. 200th Street Reconstruct to Minor Arterial standards including bike lanes, curbs, gutters, and sidewalks.	PE RW CN			700 4000	700 4000 0					700 4000	
				0	0	4700	4700	0	0	0	0	4700	0
40	TIF-4.3	Kent-Des Moines Road Improvements (Segment 3) (SR 516) from: Marine View Drive to: 16th Ave. South Widen roadway to provide pedestrian facilities and additional lanes where warranted.	PE RW CN			1400 1000 2100	1400 1000 6600						1400 1000 6600
				2000	2500	4500	9000	0	0	0	0	0	9000
41	INT-10.0	Marine View Drive and Kent-Des Moines Road Project Intersection Improvements from: to: Add a second eastbound through lane through the intersection.	PE RW CN		400 500 600	200 300	600 800 1600					600 800 1600	
				600	1900	500	3000	0	0	0	0	3000	0
42	TIF-15.0	Marine View Drive and S 227th Street Project Intersection Improvements from: to: Revise lane configuration to single eastbound right with overlap signal phase. Add second southbound through lane at intersection.	PE RW CN		100 500	40 60	140 0 560					140 560	
				0	600	100	700	0	0	0	0	700	0

Proposed Priority No.	City Project Number	Project Identification	Project Phase	Project Cost in Thousands of Dollars				Local Agency Expenditure Schedule (Year)					
				Fund Source				2026	2027	2028	2029-2031	2032-2035	2036-2045
				Federal Funds	State Funds	Local Funds	Total Funds						
43	TIF-4.1	Kent-Des Moines Road Improvements (Segment 1) (SR 516) from: 16th Ave. S. to: 24th Ave. S. Widen roadway to provide pedestrian facilities and center 2-way turn lane where warranted	PE RW CN	500	2500	700 600 1700	700 600 4700					700 600 4700	
				500	2500	3000	6000	0	0	0	0	6000	0
44	S-27.0	30th Ave S. Over-Crossing Bridge Crossing over Kent-Des Moines Road from: to: Construct vehicular or ped/bike bridge over Kent Des Moines Road linking Pacific Ridge with Midway. Coordinate with Kent.	PE RW CN			750 800 6500	750 800 6500						750 800 6500
				0	0	8050	8050	0	0	0	0	0	8050
45	S-20.0	Redondo Beach Drive Sidewalk Project Redondo Beach Drive from: S. 281st St to: South City Limits Install sidewalk where missing and make pedestrian improvements.	PE RW CN			100 500	100 0 500					100 500	
				0	0	600	600	0	0	0	0	600	0
46	S-3.2	S 200th Street & S 199th Street Improvements (Segment 2) from: 8th Ave S to: 1st Ave. S. Install curbs, gutters, sidewalks, & bike lanes.	PE RW CN		100 50 1200	200 50 600	300 100 1800					300 100 1800	
				0	1350	850	2200	0	0	0	0	2200	0
47	TIF-7.5a	16th Ave. S Improvements Project (Segment 5a) 16th Avenue South from: S. 272nd St. to: S. 276th Street Widen to provide 3-land roadway w/curbs, gutters, bike lanes & sidewalks. Provide new alignment to Pacific Hwy. S. if feasible. Joint project w/City of Federal Way. Also coordinate w/City of Kent and King County Metro.	PE RW CN		60 1200	140 40 600	140 100 1800					140 100 1800	
				0	1260	780	2040	0	0	0	0	2040	0
48	TIF-3.3 TIF-17.0	16th Ave. S Improvements Project (Segment 3) 16th Avenue South from: Kent-Des Moines Rd. to: S. 240th St. Widen to provide center turn lane at apartment driveways south of Kent-Des Moines Road. Provide bus pullouts.	PE RW CN		2000	400 500 1200	400 500 3200					400 500 3200	
				0	2000	2100	4100	0	0	0	0	4100	0
49	TIF-3.2	16th Ave. S Improvements Project (Segment 2) 16th Avenue South from: S. 260th St. to: S. 250th Street Install curbs, gutters and sidewalks and bike lanes. Provide 2-way left turn lane.	PE RW CN		3000	1200 300 2100	1200 300 5100						1200 300 5100
				0	3000	3600	6600	0	0	0	0	0	6600

Proposed Priority No.	City Project Number	Project Identification	Project Phase	Project Cost in Thousands of Dollars				Local Agency Expenditure Schedule (Year)					
				Fund Source				2026	2027	2028	2029-2031	2032-2035	2036-2045
				Federal Funds	State Funds	Local Funds	Total Funds						
50	S-12.0	S 208th Street Sidewalk Project South 208th Street from: 1st Ave. S. to: DMMD Install sidewalk and make pedestrian improvements.	PE RW CN			260 40 1300	260 40 1300						260 40 1300
				0	0	1600	1600	0	0	0	0	0	1600
51	TIF-8.2	20th Ave. S Improvements Project (Segment 2) 20th Avenue South from: S. 240th St. to: S. 243rd Street Reconstruct and extend neighborhood collector street with curb, gutter and sidewalks.	PE RW CN			300 1200	300 1200						300 1200
				0	0	1500	1500	0	0	0	0	0	1500
52	S-6.0	20th Ave S. Improvements Project (Segment 1) 20th Avenue South from: S. 243rd St. to: S. 250th Street Reconstruct to Neighborhood Collector standards and provide curb, gutter and sidewalks.	PE RW CN		200 1000	200 1000	400 0 2000						400 0 2000
				0	1200	1200	2400	0	0	0	0	0	2400
53	S-7.0	S 250th / 251st Street Improvements South 250th/251st Street from: Marine View Drive to: 16th Ave. S. Construct bike lanes and curb, gutter and sidewalk on both sides.	PE RW CN		50 25 1200	300 25 1200	350 50 2400						350 50 2400
				0	1275	1525	2800	0	0	0	0	0	2800
54	TIF-18.0	16th Ave S. and S 250th Street Project Intersection Improvements from: to: Add eastbound right turn pocket.	PE RW CN			50 200	50 0 200						50 0 200
				0	0	250	250	0	0	0	0	0	250
55	S-9.0	S 272nd Street / Marine View Drive Project from: to: Reconstruct roadway to improve horizontal and vertical alignment.	PE RW CN			150 150	150 0 650						150 0 650
				0	500	300	800	0	0	0	0	0	800
56	INT-6.0	Pacific Highway S and S 260th Street Intersection Improvements from: to: Revise signal timing. Coordinate with the City of Kent.	PE RW CN		20 120	20 120	40 0 120						40 0 120
				0	140	20	160	0	0	0	0	0	160

Proposed Priority No.	City Project Number	Project Identification	Project Phase	Project Cost in Thousands of Dollars				Local Agency Expenditure Schedule (Year)					
				Fund Source				2026	2027	2028	2029-2031	2032-2035	2036-2045
				Federal Funds	State Funds	Local Funds	Total Funds						
57	TIF-3.4 TIF-17.0	16th Ave. S Improvements Project (Segment 4) 16th Avenue South from: S. 240th St. to: S. 250th St. Widen to three lane minor arterial with curbs, gutters, bike lanes and sidewalks.	PE			800	800						800
			RW			200	200						200
			CN		2000	1500	3500						3500
				0	2000	2500	4500	0	0	0	0	0	4500
58	S-10.0	S 222nd Street Improvements Project South 222nd Street from: Marine View Drive to: Pacific Highway South Reconstruct to Neighborhood Collector standards including two travel lanes, bicycle lanes, curb, gutter and sidewalks.	PE		300	200	500						500
			RW				0						
			CN		2000	500	2500						2500
				0	2300	700	3000	0	0	0	0	0	3000
59	S-33.1b	S 216th Street Improvements (Segment 1b) Transportation Gateway Project (1 of 4 projects) South 216th Street from: East City Limits to: Pacific Highway South Widen to provide additional travel lanes, bike lanes, curb, gutter, & sidewalks. Project coordinated with WSDOT construction of SR509 to replace the I-5 overcrossing with transitions to the planned lane configuration.	PE			500	500						500
			RW			800	800						800
			CN	800	800	1000	2600						2600
				800	800	2300	3900	0	0	0	0	0	3900
60	TIF-7.5b	16th Ave. S Improvements Project (Segment 5b) 16th Avenue South from: S. 276th St. to: Pacific Highway South Widen to provide 3-lane roadway w/curbs, gutters, bike lanes & sidewalks. Provide new alignment to Pacific Hwy. S. if feasible. Joint project w/City of Federal Way. Also coordinate w/City of Kent and King County Metro.	PE		240	200	440						440
			RW		900	600	1500						1500
			CN		1660	800	2460						2460
				0	2800	1600	4400	0	0	0	0	0	4400
61	S-28.0	S 240th Street Overcrossing Bridge Crossing over I-5 from: Pacific Highway South to: Military Road Construct bridge over Interstate 5. Coordinate with City of Kent.	PE			2000	2000						2000
			RW			1500	1500						1500
			CN			10000	10000						10000
				0		13500	13500	0	0	0	0	0	13500
62	S-23.0	Marina Bike Connection from: S. 227th Street to: Cliff Ave. S. Install bike connection through the Marina to link the Des Moines Creek Trail to S. 227th St.	PE			60	60						60
			RW			0	0						
			CN			100	100						100
				0	0	160	160	0	0	0	0	0	160
63	S-11.0	S 272nd Street Improvements Project South 272nd Street from: Pacific Highway South to: 16th Ave. S. Install access control to enhance safety.	PE			20	20						20
			RW				0						
			CN			80	80						80
				0	0	100	100	0	0	0	0	0	100

Proposed Priority No.	City Project Number	Project Identification	Project Phase	Project Cost in Thousands of Dollars				Local Agency Expenditure Schedule (Year)					
				Fund Source				2026	2027	2028	2029-2031	2032-2035	2036-2045
				Federal Funds	State Funds	Local Funds	Total Funds						
64	INT-5.0	Redondo Beach Drive and Redondo Way S Project Intersection Improvements from: to: Install traffic signal, or consider other intersection treatments to enhance capacity.	PE RW CN		60 400	60 200	120 0 600						120 0 600
				0	460	260	720	0	0	0	0	0	720
65	PRNIP-N2.0	S 220th Street Improvements Pacific Ridge NIP N2 from: Pacific Highway South to: 30th Ave. S. Reconstruct roadway	PE RW CN			150 50 800	150 50 800						150 50 800
				0	0	1000	1000	0	0	0	0	0	1000
66	TIF-12.0	S 220th Street and Pacific Highway S Intersection Improvements from: to: Widen for left turn pockets, adjust roadway profile and approach grades, and revise signal phasing to remove split phasing	PE RW CN		100 500	50 50	150 0 550						150 0 550
				0	600	100	700	0	0	0	0	0	700
67	PRNIP-S4.0	S 225th Pl. Connection Improvements Pacific Ridge NIP S4 from: Pacific Highway South to: 30th Ave. S. Construct new pedestrian connection and potential roadway	PE RW CN			700 400 3500	700 400 3500						700 400 3500
				0	0	4600	4600	0	0	0	0	0	4600
68	PRNIP-N4.0	S 222nd Pl. Connection Improvements Pacific Ridge NIP N4 from: 28th Ave. S. to: 30th Ave. S. Construct new roadway	PE RW CN			350 350 1200	350 350 1200						350 350 1200
				0	0	1900	1900	0	0	0	0	0	1900
69	S-22.0	S 227th Street Improvements South 227th Street from: West City Limits to: Marine View Dr. Reconstruct roadway to improve bicycle connection between Marina and Marine View Drive	PE RW CN			150 0 1000	150 0 1000						150 0 1000
				0	0	1150	1150	0	0	0	0	0	1150
70	PRNIP-N1.0	30th Ave. S Improvements (Segment 1) Pacific Ridge NIP N1 from: S. 216th St. to: S. 220th St. Reconstruct roadway	PE RW CN			300 100 1200	300 100 1200						300 100 1200
				0	0	1600	1600	0	0	0	0	0	1600

Proposed Priority No.	City Project Number	Project Identification	Project Phase	Project Cost in Thousands of Dollars				Local Agency Expenditure Schedule (Year)					
				Fund Source				2026	2027	2028	2029-2031	2032-2035	2036-2045
				Federal Funds	State Funds	Local Funds	Total Funds						
71	PRNIP-N5.0	30th Ave. S Improvements (Segment 2) Pacific Ridge NIP N5 from: S. 222nd Pl. to: n/o S. 224th St. Reconstruct roadway	PE RW CN			120 40 640	120 40 640						120 40 640
				0	0	800	800	0	0	0	0	0	800
72	PRNIP-S1.0	30th Ave. S Improvements (Segment 3) Pacific Ridge NIP S1 from: n/o S. 224th St. to: S. 224th St. Reconstruct roadway	PE RW CN			50 200	50 200						50 200
				0	0	250	250	0	0	0	0	0	250
73	PRNIP-S5.0	30th Ave. S Improvements (Segment 4) Pacific Ridge NIP S5 from: S. 224th St. to: Kent-Des Moines Rd. Reconstruct roadway	PE RW CN			600 200 3200	600 200 3200						600 200 3200
				0	0	4000	4000	0	0	0	0	0	4000
74	PRNIP-N3.2	S 220th Street Cul-de-Sac Improvements Pacific Ridge NIP N3 (1 of 3) from: Eastern terminus to: I-5 Reconstruct roadway	PE RW CN			50 200	50 200						50 200
				0	0	250	250	0	0	0	0	0	250
75	PRNIP-N3.3	S 221st Street Cul-de-Sac Improvements Pacific Ridge NIP N3 (1 of 3) from: Eastern terminus to: I-5 Reconstruct roadway	PE RW CN			50 200	50 200						50 200
				0	0	250	250	0	0	0	0	0	250
76	PRNIP-S3.0	S 224th Street Cul-de-Sac Improvements Pacific Ridge NIP S3 from: Eastern terminus to: I-5 Reconstruct roadway	PE RW CN			50 200	50 200						50 200
				0	0	250	250	0	0	0	0	0	250
77	INT-9.0	8th Ave. S and S 200th Street Project Intersection Improvements from: to: Install traffic signal, or consider other intersection treatments to enhance capacity.	PE RW CN			60 240	60 240						60 240
				0	0	300	300	0	0	0	0	0	300

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				Fund Source				2026	2027	2028	2029-2031	2032-2035	2036-2045
				Federal Funds	State Funds	Local Funds	Total Funds						
78	INT-1.0	24th Ave. S and S 222nd Street Project Intersection Improvements from: to: Install traffic signal, or consider other intersection treatments to enhance capacity.	PE RW CN			80 50 420	80 50 420						80 50 420
				0	0	550	550	0	0	0	0	0	550
79	TIF-22.0	S 240th Street and 20th Ave. S Improvements Project Intersection Improvements from: to: Widen to provide left turn pockets. Install traffic signal at 20th and 240th if warranted.	PE RW CN		125 25 700	125 25 700	250 50 1400						250 50 1400
				0	850	850	1700	0	0	0	0	0	1700
80	TIF-19.0	Des Moines Memorial Drive and S 208th Street Project Intersection Improvements from: to: Widen DMMD to add left turn pockets at S. 208th Street.	PE RW CN			50 0 200	50 0 200						50 0 200
				0	100	150	250	0	0	0	0	0	250
81	TIF-21.0	Des Moines Memorial Drive and S 212th Street Project Intersection Improvements from: to: Widen DMMD to add left turn pockets at S. 208th Street.	PE RW CN			50 0 200	50 0 200						50 0 200
				0	100	150	250	0	0	0	0	0	250
82	S-19.0	S 272nd Street / 10th Ave. S Project South 272nd Street / 10th Avenue South from: 16th Ave. S. to: Redondo beach Drive Install sidewalk and make pedestrian improvements.	PE RW CN		700 800 2250	700 800 2250	1400 1600 4500						1400 1600 4500
				0	3750	3750	7500	0	0	0	0	0	7500
83	S-2.2	8th Ave. S Improvements Project (Segment 2) 8th Avenue South (North Hill) from: S. 200th Street to: S. 208th Street Reconstruct to Minor Arterial standards including bike lanes, curbs, gutters, and sidewalks.	PE RW CN			800 0 2500	800 0 2500						800 0 2500
				0	0	3300	3300	0	0	0	0	0	3300
84	S-31.2	4th Ave. S Improvements Project (Segment 2) 4th Avenue South (North Hill) from: S. 208th Street to: S. 216th Street Reconstruct to Minor Arterial standards including bike lanes, curbs, gutters, and sidewalks.	PE RW CN			800 0 2500	800 0 2500						800 0 2500
				0	0	3300	3300	0	0	0	0	0	3300

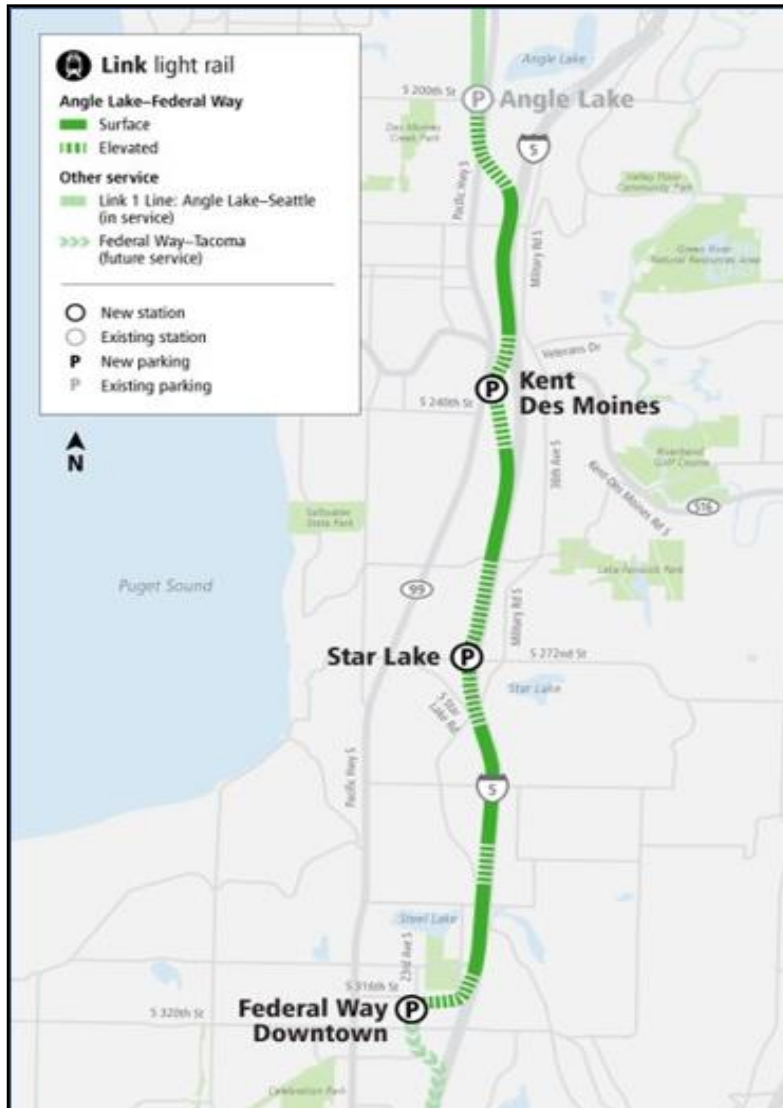
Proposed Priority No.	City Project Number	Project Identification	Project Phase	Project Cost in Thousands of Dollars				Local Agency Expenditure Schedule (Year)					
				Fund Source				2026	2027	2028	2029-2031	2032-2035	2036-2045
				Federal Funds	State Funds	Local Funds	Total Funds						
85	S-31.1	4th Ave. S Improvements Project (Segment 1) 4th Avenue South (North Hill) from: S. 199th Street to: S. 208th Street Reconstruct to Minor Arterial standards including bike lanes, curbs, gutters, and sidewalks.	PE RW CN			800 2500	800 0 2500						800 0 2500
				0	0	3300	3300	0	0	0	0	0	3300
86	S-17.0	Marine View Drive Sidewalk Project Marine View Drive from: S. 250th Street to: Woodmont Dr. S. Install sidewalk and make pedestrian improvements.	PE RW CN			300 50 2150	300 50 2150						300 50 2150
				0	0	2500	2500	0	0	0	0	0	2500
87	S-18.0	Woodmont Drive S Sidewalk Project Woodmont Drive South from: Marine View Drive to: 16th Ave. S. Install sidewalk and make pedestrian improvements.	PE RW CN			350 50 2600	350 50 2600						350 50 2600
				0	0	3000	3000	0	0	0	0	0	3000
88	S-16.0	16th Ave. S Sidewalk Project 16th Avenue South from: S. 220th Street to: Kent-Des Moines Road Install sidewalk and make pedestrian improvements.	PE RW CN			200 50 1650	200 50 1650						200 50 1650
				0	0	1900	1900	0	0	0	0	0	1900
89	S-13.0	S 220th Street Sidewalk Project South 220th Street from: 11th Ave. S. to: 16th Ave. S. Install sidewalk and make pedestrian improvements.	PE RW CN			160 40 900	160 40 900						160 40 900
				0	0	1100	1100	0	0	0	0	0	1100
90	S-14.0	9th Ave. S Sidewalk Project 9th Avenue South from: S. 220th Street to: S. 223rd Street Install sidewalk and make pedestrian improvements.	PE RW CN			80 20 400	80 20 400						80 20 400
				0	0	500	500	0	0	0	0	0	500
91	S-15.0	10th Ave. S Sidewalk Project 10th Avenue South from: S. 220th Street to: Kent-Des Moines Road Install sidewalk and make pedestrian improvements.	PE RW CN			200 50 1250	200 50 1250						200 50 1250
				0	0	1500	1500	0	0	0	0	0	1500

Federal Way Link Extension

Project update

*Des Moines City Council
June 5, 2025*





Project overview

1 Line

Opens spring 2026

- 7.8-mile extension
- Three (3) new 1 Line stations: Kent Des Moines, Star Lake, Federal Way Downtown
- Two (2) new parking facilities [KDM, SL]; one (1) expansion [FWD]
- Future transit-oriented development at KDM & FWD

Federal Way Downtown Station



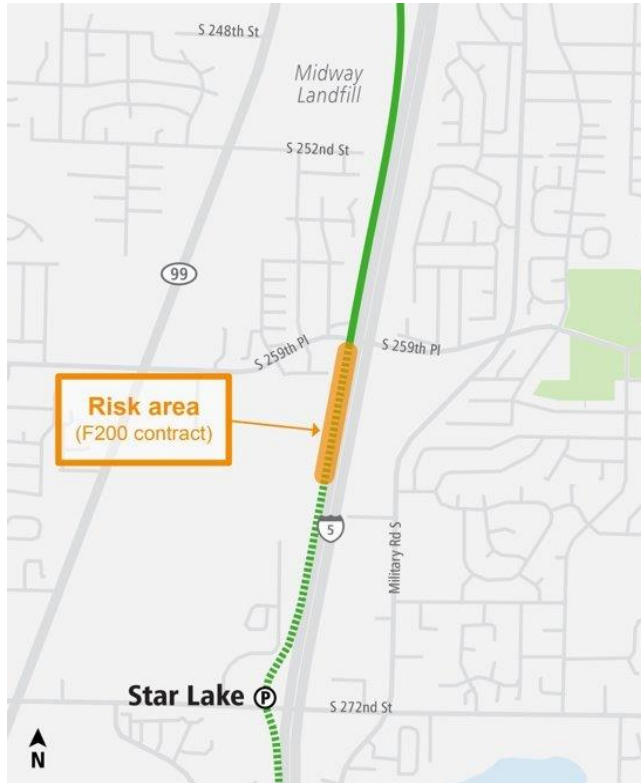
Federal Way Downtown Station – Bus loop



Star Lake Station



Structure C



January 2025: Train pulled across Structure C!

Kent Des Moines Station



Kent Des Moines Station – Transit-oriented development (TOD)



- **North: Mercy Housing NW**
 - ~230 units affordable housing
 - Community services and neighborhood-focused retail
- **South: Held for future development**
- **West: Potential partnership with Highline College**

Thank you.



 soundtransit.org



A G E N D A I T E M

BUSINESS OF THE CITY COUNCIL City of Des Moines, WA

SUBJECT: Updating Resolution 1118 Concerning
The Process of Public Contracting

FOR AGENDA OF: June 5, 2025

DEPT. OF ORIGIN: Legal

ATTACHMENTS:

DATE SUBMITTED: May 27, 2025

1. Draft Resolution 25-032
2. Resolution 1118
3. MRSC model direct contracting procedures
4. MRSC model rotation policy
5. MRSC model business utilization plan

CLEARANCES:

- ☐ City Clerk _____
- ☐ Community Development _____
- ☐ Courts _____
- ☒ Finance *ML 28*
- ☐ Human Resources _____
- ☒ Legal */s/TG*
- ☐ Marina _____
- ☐ Police _____
- ☐ Parks, Recreation & Senior Services _____
- ☒ Public Works *MPS*

APPROVED BY CITY MANAGER

FOR SUBMITTAL: *Katherine Coffey*

Purpose and Recommendation

The purpose of this item is to discuss with the City Council proposed changes to the policies governing public contracts currently contained in Resolution 1118. No formal action will be taken.

Background

Since 2010, the approved process for entering into public contracts has been governed by Resolution 1118. The Resolution addresses interlocal agreements, franchise agreements, public works contracts, purchase of supplies and equipment, architectural and engineering service contracts, other professional services contracts, administrative contracts, and leases of City property.

Public works contracts are highly regulated by the State, and for projects over a certain value threshold, the formal advertisement, sealed bid, and award to the lowest responsive bidder process must be used. For projects that fall under that threshold amount, the Legislature created the “small public works” process that allowed cities to solicit bids from contractors listed on the MRSC small works roster in a less formal and less onerous process. The Legislature also provided an even more informal process for “limited public

works” under an even lower dollar threshold where bids would be invited from at least three contractors off of the small works roster.

Since their creation, the Legislature has amended the provisions relating to the small and limited public works increasing dollar thresholds and adding procedures to promote women-owned, and minority-owned businesses, among other changes, until ultimately making wholesale changes in Second Substitute House Bill 5268 in 2023, which took effect July 1, 2024.

SSHB 5268 repealed RCW 39.04.155 which had contained the provisions governing small and public works processes and created a new RCW 39.04.152 to replace it. The act reinstated the small public works process with a slightly different invitation to bid process. Small public works are also now allowed for projects up to a \$350,000, up from \$300,000. The former limited public works process was completely eliminated and replaced with a process for direct negotiation and contracting in its place. The maximum dollar threshold has been set at \$150,000 for the direct contracting process, an increase from \$50,000 for the former limited public works process. Cities wishing to utilize the direct contracting process are required to adopt direct contracting procedures, a contractor rotation policy, and a business utilization plan to ensure that work is equitably distributed among contractors on the MRSC roster and that a city does not use the same contractors over and over.

With the Legislature having ended the limited public works process, that process as contained in Resolution 1118 is no longer available to the City. Additionally, references to the small public works process are now out of date in the Resolution. In order to award contracts for small dollar public works projects without going through the formal competitive bid process for large public works, it is advised to update the City policies.

Discussion

In order to keep up to date with state law on public works contracting, staff is proposing to draft a new resolution to replace Resolution no. 1118. The new draft resolution would keep much of Resolution no. 1118, but include the following changes:

- Section (3) would be reorganized and separated into three sections relating to (1) MRSC rosters; (2) the small works invitation to bid process; and (3) the direct contracting process, for the sake of clarity.
- The former subsection (3)(b) would be simplified by adopting the procedures for small works invitation to bid process by reference to RCW 39.04.152(4)(a), rather than copying language from statute as was done in previous resolutions. The threshold amount would be raised to \$350,000 as well.
- The former subsection (3)(c) would eliminate all of the longer applicable language relating to the limited public works process and replace it by adopting the direct contracting process from RCW 39.04.152(4)(b) by reference.
- The new section adopting the direct contracting process would also adopt direct contracting procedures, a contractor rotation policy, and a business utilization plan as exhibits to the resolution based on model policies provided by MRSC.

In previous resolutions, including Resolution no. 1118, the maximum dollar thresholds for utilizing the small public works or limited public works procedures were set dollar amounts based on the limits contained in the law of the time. This has resulted in times where Des Moines City policy has not kept up with current law and has required adoption of new resolutions to adjust. Staff is recommending to set the threshold amount by reference to the RCW, allowing the policy to keep current with future changes by the Legislature.

If the Council were to adopt a new resolution to replace Resolution no. 1118, this also provides an opportunity to adjust other policies contained in Resolution no. 1118. Specifically whether the Council should increase the standard ten percent retainage when approving public works contracts.

1. Should MRSC's model policies be adopted as the City's policies for implementing direct contracting procedures?
2. Should the threshold amounts for use of the small works procedures be set by resolution or pegged to the thresholds set by the Legislature?
3. Should the retainage percentage for public works contracts be increased from the current level of ten percent?

With respect to public works contracting, it is important to note that adopting these policies is merely authorization for City staff to use these alternative procedures for public works contracting when appropriate, not rigidly locking the City into those policies based on project cost. The formal advertise-bid-award process is available for projects of any size when appropriate, and the small works invitation to bid process can be utilized for projects under \$150,000 rather than the direct contracting process if staff believes that will provide better results for the City's dollars.

CITY ATTORNEY’S FIRST DRAFT
DRAFT RESOLUTION NO. 25-032

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DES MOINES, WASHINGTON, revising policies governing City Council participation in public contracts, and rescinding Resolution No. 1118.

WHEREAS, the City Council has periodically enacted and updated by Resolution polices regarding Council participation in public contracts, most recently in Resolution No. 1118, and

WHEREAS, the Legislature enacted Second Substitute House Bill 5268 in 2023 which modified the small public works process, eliminated the limited public works process, and created a new direct contracting process with a higher dollar threshold to replace the limited public works process, effective July 1, 2024, and

WHEREAS, in order to avoid using the full advertise-bid process for public works projects valued at less than \$350,000, the City must update its contracting polices to reflect current law, and

WHEREAS, the City Council wishes to update its public contracting policy to comply with these changes in state law and to adapt the policies to current needs, and

WHEREAS, the City Council finds it necessary to adopt the following policies; now therefore,

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

Sec. 1. The following policies shall govern City Council participation in public contracts:

(1) Interlocal agreements. Chapter 39.34 RCW requires the governing bodies of participating public agencies to take appropriate action by ordinance, resolution, or otherwise before interlocal agreements may enter into force. All interlocal agreements should appear on the consent calendar, subject to removal in accordance with the City Council Rules of Procedure.

(2) Franchise agreements. Franchise agreements such as Comcast, PSE, water, sewer, and the like require City Council approval. Franchise agreements should be referred to an Ad Hoc Council Committee for the study and recommendation prior to presentation to the City Council for approval.

(3) ~~Public works (small works roster).~~
~~(a) MRSC rosters.~~ The City wishes to contract with the Municipal Research and Services Center of Washington (MRSC) to adopt for City use those state-wide electronic databases for small works roster and consulting services developed and maintained by MRSC and authorizes the City Manager to sign that contract. In addition, paper and/or electronic rosters may be kept on file by appropriate City departments.

(a) Small works roster. At least once a year, on behalf of the City, MRSC shall publish in a newspaper of general circulation within the jurisdiction a notice of the existence of the roster or rosters and solicit the names of contractors for such roster or rosters. Responsible contractors shall be added to appropriate MRSC roster or rosters at any time that they submit a written request and necessary records. The City may require master contracts to be signed that become effective when a specific award is made using a small works roster.

Commented [MH1]: Moved from former subsection (3)(b)(ii)

(b) Consulting services rosters.

(i) Consulting services. Consulting services are professional services that have a primarily intellectual output or product and include architectural and engineering services as defined in RCW 39.80.020.

(ii) Publication. At least once a year, on behalf of the City, MRSC shall publish in a newspaper of general circulation within the jurisdiction a notice of the existence of the consulting services roster or rosters and solicit statements of qualifications from firms providing consulting services. Such advertisements will include information on how to find the address and telephone number of a representative of the City who can provide further details as to the City's projected needs for consulting services. Firms or persons providing consulting services shall be added to appropriate MRSC roster or rosters at any time that they submit a written request and necessary records. The City may require master contracts to be signed that become effective when a specific award is made using a consulting services roster.

(iii) Professional architectural and engineering services. The MSRC rosters will distinguish between professional architectural and engineering services as defined in RCW 39.80.020 and other consulting services and will announce generally to the public the City's projected requirements for any category or type of professional or other consulting services. The City reserves the right to publish an announcement on each occasion when professional services or other consulting services are required by the agency and to use paper and/or other electronic rosters that may be kept on file by appropriate City documents.

Commented [MH2]: Moved from former subsection (3)(c)

~~**(b4) Small Public Works invitation for bids**~~**Small works rosters.** The following small works roster procedures are established for use by the City pursuant to RCW 39.04.455152:

~~**(4a) Cost.**~~ **Cost.** The City need not comply with formal sealed bidding procedures for the construction, building, renovation, remodeling, alteration, repair or improvement of real property where the estimated cost does not exceed Three Hundred Fifty Thousand Dollars (\$300,000.00350,000.00), which includes the costs of labor, material, and equipment, ~~and but does not include sales and/or use taxes as applicable.~~ Instead, the City may ~~solicit bids from~~ the small works roster

~~procedures for public works projects~~ as set forth ~~herein~~ in RCW 39.04.152(4)(a) as presently constituted or as subsequently amended. The breaking of any project into units or accomplishing any projects by phases is prohibited if it is done for the purpose of avoiding the maximum dollar amount of a contract that may be let using the small works roster process.

(b) For small public works contracts valued under \$5,000, there is no requirement for retainage or performance bonds. The City may reduce or waive retainage requirements set forth in RCW 60.28.011(1)(a) for small public works contracts valued at more than \$5000, thereby assuming the liability for the contractor's nonpayment of: (1) Laborers, mechanics, subcontractors, materialpersons, and suppliers; and (2) taxes, increases, and penalties pursuant to Titles 50, 51, and 82 RCW that may be due from the contractor for the project. Any such waiver will not affect the rights of the City to recover against the contractor for any payments made on the contractor's behalf. For small public works contracts awarded through a bid solicitation, notice of any retainage reduction or waiver must be provided in bid solicitations.

Commented [MH3]: Updated language to match new statutory language replacing former subsection (3)(c)(ii)

(c) Award. The City Manager or his designee shall present all telephonic quotations/bids, and recommendation for award of the contract to the lowest responsible bidder to the City Council. However, for public works projects under Fifty Thousand Dollars (\$50,000.00), the City Manager shall have the authority to award public works contracts without City Council approval. For public works projects over Fifty Thousand Dollars (\$50,000.00), the City Council shall award all public works contracts.

Commented [MH4]: Moved from former subsection 3(c)(v)

(ii) ~~Publication.~~ At least once a year, on behalf of the City, MRSC shall publish in a newspaper of general circulation within the jurisdiction a notice of the existence of the roster or rosters and solicit the names of contractors for such roster or rosters. Responsible contractors shall be added to appropriate MRSC roster or rosters at any time that they submit a written request and necessary records. The City may require master contracts to be signed that become effective when a specific award is made using a small works roster.

Commented [MH5]: Moved to new subsection 3(a)

(iii) ~~Telephone or written quotations.~~ The City shall obtain telephone, written, or electronic quotations for public works contracts from contractors on the appropriate small works roster to assure that a competitive price is established and to award contracts to a contractor who meets the mandatory bidder responsibility criteria in RCW 39.04.350(1) and may establish supplementary bidder criteria under RCW 39.04.350(2).

(A) A contract awarded from a small works roster need not be advertised. Invitations for quotations shall include an estimate of the scope and nature of the work to be performed as well as materials and equipment to be furnished. However, detailed plans and specifications need not be included in the invitation.

(B) Quotations may be invited from all appropriate contractors on the appropriate small works roster. As an alternative, quotations may be invited from at least five (5) contractors on the appropriate small works roster who have indicated the capability of performing the kind of work being contracted, in a manner that will equitably distribute the opportunity among the contractors on the appropriate roster. "Equitably distribute" means that the City may not favor certain contractors on the appropriate small works roster over other contractors on the appropriate small works roster who perform similar services.

If the estimated cost of the work is from One Hundred Fifty Thousand Dollars (\$150,000.00) to Three Hundred Thousand Dollars (\$300,000.00), the City may choose to solicit bids from less than all the appropriate contractors on the appropriate small works roster but must notify the remaining contractors on the appropriate small works roster that quotations on the work are being sought. The City has the sole option of determining whether this notice to the remaining contractors is made by:

(1) Publishing notice in a legal newspaper in general circulation in the area where the work is to be done;

(2) Mailing a notice to these contractors; or

(3) Sending a notice to these contractors by facsimile or email.

(C) At the time bids are solicited, the City representative shall not inform a contractor of the terms or amount of any other contractor's bid for the same project.

(D) A written record shall be made by the City representative of each contractor's bid on the project and of any conditions imposed on the bid. Immediately after an award is made, the bid quotations obtained shall be recorded, open to public inspection, and available by telephone inquiry.

(e5) Limited public works~~Small public works~~
direct contract process.

(i)(a) If a work, construction, alteration, repair, or improvement project is estimated to cost less than ~~Thirty-Five~~One Hundred Fifty Thousand Dollars (\$~~35,000.00~~150,000.00), not including sales tax, the City may award such a contract using the ~~limited public works~~direct contract process provided under RCW ~~39.04.155(3)~~39.04.152(4) (b) as presently constituted or as subsequently amended. ~~For a limited public works project, the City will solicit electronic or written quotations from a minimum of three (3) contractors from the appropriate small works roster and shall award the~~

Commented [MH6]: Outdated language replaced by reference to RCW

~~contract to the lowest responsible bidder as defined under RCW 39.04.010. After an award is made, the quotations shall be open to public inspection and available by electronic request.~~

Commented [MH7]: Outdated language replaced by reference to RCW

~~(iib) For limited public works projects, the City may waive the payment and performance bond requirements of chapter 39.08 RCW and the retainage requirements of chapter 60.28 RCW, thereby assuming the liability for the contractor's nonpayment of laborers, mechanics, subcontractors, materialmen, suppliers, and taxes imposed under Title 82 RCW that may be due from the contractor for the limited public works project. However, the City shall have the right of recovery against the contractor for any payments made on the contractor's behalf. The City of Des Moines Direct Contracting Procedures attached as Exhibit "A" to this Resolution is hereby adopted and shall govern contracting procedures under the direct contracting process.~~

Commented [MH8]: Outdated language updated and moved to new subsection (4)(b)

~~(iiic) The City shall maintain a list of the contractors contacted and the contracts awarded during the previous twenty four (24) months under the limited public works process, including the name of the contractor, the contractor's registration number, the amount of the contract, a brief description of the type of work performed, and the date the contract was awarded. The City of Des Moines Direct Contracting Rotation Policy attached as Exhibit "B" to this Resolution is hereby adopted and shall constitute the contractor rotation policy for the direct contracting process as set out in the Direct Contracting Procedures.~~

Commented [MH9]: Outdated language replaced with reference to RCW

~~(ivd) Determining lowest responsible bidder. The City Council shall award the contract for the public works project to the lowest responsible bidder provided that, whenever there is a reason to believe that the lowest acceptable bid is not the best price obtainable, all bids may be rejected and the City may call for new bids. A responsible bidder shall be a registered and/or licensed contractor who meets the mandatory bidder responsibility criteria established by Chapter 133, Laws of 2007 (SHB 2010) and who meets any supplementary bidder responsibility criteria established by the City. The City of Des Moines Direct Contracting Business Utilization Plan attached as Exhibit "C" to this Resolution is hereby adopted and shall constitute the small business utilization plan for direct contracting process as set out in the Direct Contracting Procedures.~~

Commented [MH10]: Outdated language replaced with reference to RCW

~~(v) Award. The City Manager or his designee shall present all telephonic quotations/bids, and recommendation for award of the contract to the lowest responsible bidder to the City Council. However, for public works projects under Fifty Thousand Dollars (\$50,000.00), the City Manager shall have the authority to award public works contracts without City Council approval. For public works projects over Fifty Thousand Dollars (\$50,000.00), the City Council shall award all public works contracts.~~

Commented [MH11]: Moved to new subsection (4)(c)

~~(e) Consulting services rosters.~~

~~(i) Consulting services. Consulting services are professional services that have a primarily intellectual output or product and include architectural and engineering services as defined in RCW 39.80.020.~~

~~(ii) Publication. At least once a year, on behalf of the City, MRSC shall publish in a newspaper of general circulation within the jurisdiction a notice of the existence of the consulting services roster or rosters and solicit statements of qualifications from firms providing consulting services. Such advertisements will include information on how to find the address and telephone number of a representative of the City who can provide further details as to the City's projected needs for consulting services. Firms or persons providing consulting services shall be added to appropriate MRSC roster or rosters at any time that they submit a written request and necessary records. The City may require master contracts to be signed that become effective when a specific award is made using a consulting services roster.~~

~~(iii) Professional architectural and engineering services. The MRSC rosters will distinguish between professional architectural and engineering services as defined in RCW 39.80.020 and other consulting services and will announce generally to the public the City's projected requirements for any category or type of professional or other consulting services. The City reserves the right to publish an announcement on each occasion when professional services or other consulting services are required by the agency and to use paper and/or other electronic rosters that may be kept on file by appropriate City documents.~~

Commented [MH12]: Moved to new subsection (3)(b)

(45) Public Works (subject to bid). Public work projects exceeding Three Hundred and Fifty Thousand Dollars (\$300,000-00350,000.00) are subject to bid laws and shall be processed in accordance with the Revised Code of Washington. After opening of bids, results shall be submitted to the Council committee of origin for study and recommendation prior to being presented to the City Council for approval and if there is no Council committee of origin, shall be considered by the Council as a whole. Action taken by the City Council in awarding the bid and directing the City Manager to sign contracts should include authority granted to the City Manager to expend funds in the amount of the bid award plus ten percent.

(56) Purchase of supplies, material, equipment, and non-professional services. For code cities of a population of 20,000 or greater there are no bidding requirements for purchases of supplies, material, equipment, or services which are not purchased in connection with a public work. For such purchases, the City Manager shall adopt written guidelines, subject to City Council approval, to ensure that purchases are made at the lowest possible price from a responsible vendor.

(67) Architectural and Engineering Services. Chapter 39.80 RCW provides that in selecting architectural and engineering consultants the City shall conduct discussions with one or more firms and shall select the firm deemed the most

highly qualified to provide the services required for the proposed project. The Attorney General of the State of Washington has issued an opinion precluding cities from considering price when selecting architects and engineers, except for a final price negotiation after the most qualified architect or engineer has been selected. The following process shall govern awarding of contracts to architects or engineers:

(a) The City Manager shall advertise the architectural and engineering requirements;

(b) The City Manager shall thereafter enter into discussions with several firms and select the most qualified architect or engineer;

(c) The City Manager shall then negotiate the scope of work and price with the architect or engineer selected; and

(d) If the contract amount does not exceed \$50,000 and has been previously budgeted, the City Manager shall be authorized to sign a contract for such services without approval by the City Council or any committee thereof. If the contract amount exceeds \$50,000, the contract should appear on the consent calendar, subject to removal in accordance with the City Council Rules of Procedure.

(e) In case of a disaster, emergency, or immediate City need, including assistance on Capital Improvement Program projects and general engineering services previously approved by the Council, the City Manager shall be authorized to sign Task Order Assignments on multi-year "on-call" civil engineering services consultant contracts, which have been previously approved by the Council for services if the Task Order Assignment does not exceed \$50,000.

(f) The City Manager shall, as part of the City Manager's monthly report, provide the City Council with a list of contracts with consultants that have been approved by the City Manager pursuant to this resolution.

(g) The City Manager shall not allow task order assignments for a specific single project that cumulatively add up to an amount greater than \$50,000.00 without being approved by the City Council.

(78) Leases of City real property. Leases of City real property are subject to review and approval by the City Council. The mayor shall have discretion to submit any such lease to a standing or *ad hoc* committee for study and recommendation prior to being presented to the City Council for approval.

(89) Contracts for general professional services. Contracts for general professional services, which do not involve architects or engineers, are not subject to the bid laws of the State of Washington. Examples of such services are computer consultants, financial consultants, management

Resolution No. ____
Page 8 of 8

consultants, and the like. The process for awarding general professional services contracts shall be as follows:

(a) The City Manager shall research the persons and firms that are available to provide such professional services, taking into consideration recommendations from any source.

(b) The City Manager shall then negotiate a contract with the party selected, including scope of work and price.

(c) If the contract amount exceeds \$50,000, the contract should appear on the consent calendar, subject to removal in accordance with the City Council Rules of Procedure.

(910) Administrative contracts. Administrative contracts are contracts which do not fall into any other category described in this rule, and are for services previously budgeted by the City Council. Examples of administrative contracts are agreements with the Sexual Assault Center, VanGo, Senior Nutrition, D.A.W.N., and the like. The City Manager is authorized to execute administrative contracts, and the same shall not be subject to approval by the City Council or any committee thereof.

Sec. 2. Resolution No. 1118 is rescinded.

ADOPTED BY the City Council of the City of Des Moines, Washington this ____ day of _____, 2025 and signed in authentication thereof this ____ day of _____, 2025.

M A Y O R

APPROVED AS TO FORM:

City Attorney

ATTEST:

City Clerk

RESOLUTION NO. 1118

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DES MOINES, WASHINGTON, revising policies governing City Council participation in public contracts, and rescinding Resolution No. 1070.

WHEREAS, Resolution No. 1070 revised the policies governing City Council participation in public contracts in part by increasing the City Manager's signing authority to \$50,000.00 for small works roster, construction, and consultant services contracts which have been previously approved by the City Council, and in part by increasing the small works roster limitation to two hundred thousand dollars, and

WHEREAS, Engrossed Substitute House Bill 1847 was signed into law by the Governor on April 24, 2009, effective July 26, 2009, and gives authority to code cities of more than 20,000 population to increase its authority to award contracts using the small works roster from two hundred thousand dollars (\$200,000.00) to three hundred thousand (\$300,000.00), and

WHEREAS, the City Council finds it necessary to adopt the following policies; now therefore,

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

Sec. 1. The following policies shall govern City Council participation in public contracts:

(1) **Interlocal agreements.** Chapter 39.34 RCW requires the governing bodies of participating public agencies to take appropriate action by ordinance, resolution, or otherwise before interlocal agreements may enter into force. All interlocal agreements should appear on the consent calendar, subject to removal in accordance with the City Council Rules of Procedure.

(2) **Franchise agreements.** Franchise agreements such as Comcast, PSE, water, sewer, and the like require City Council approval. Franchise agreements should be referred to an Ad Hoc Council Committee for the study and recommendation prior to presentation to the City Council for approval.

(3) **Public works (small works roster).**

(a) **MRSC rosters.** The City wishes to contract with the Municipal Research and Services Center of Washington (MRSC) to adopt for City use those state-wide electronic databases for small works roster and consulting services developed and maintained by MRSC and authorizes the City Manager to sign that contract. In addition, paper and/or electronic rosters may be kept on file by appropriate City departments.

(b) **Small works rosters.** The following small works roster procedures are established for use by the City pursuant to RCW 39.04.155:

(i) **Cost.** The City need not comply with formal sealed bidding procedures for the construction, building, renovation, remodeling, alteration, repair or improvement of

real property where the estimated cost does not exceed Three Hundred Thousand Dollars (\$300,000.00), which includes the costs of labor, material, equipment, and sales and/or use taxes as applicable. Instead, the City may use the small works roster procedures for public works projects as set forth herein. The breaking of any project into units or accomplishing any projects by phases is prohibited if it is done for the purpose of avoiding the maximum dollar amount of a contract that may be let using the small works roster process.

(ii) **Publication.** At least once a year, on behalf of the City, MRSC shall publish in a newspaper of general circulation within the jurisdiction a notice of the existence of the roster or rosters and solicit the names of contractors for such roster or rosters. Responsible contractors shall be added to appropriate MRSC roster or rosters at any time that they submit a written request and necessary records. The City may require master contracts to be signed that become effective when a specific award is made using a small works roster.

(iii) **Telephone or written quotations.** The City shall obtain telephone, written, or electronic quotations for public works contracts from contractors on the appropriate small works roster to assure that a competitive price is established and to award contracts to a contractor who meets the mandatory bidder responsibility criteria in RCW 39.04.350(1) and may establish supplementary bidder criteria under RCW 39.04.350(2).

(A) A contract awarded from a small works roster need not be advertised. Invitations for quotations shall include an estimate of the scope and nature of the work to be performed as well as materials and equipment to be furnished. However, detailed plans and specifications need not be included in the invitation.

(B) Quotations may be invited from all appropriate contractors on the appropriate small works roster. As an alternative, quotations may be invited from at least five (5) contractors on the appropriate small works roster who have indicated the capability of performing the kind of work being contracted, in a manner that will equitably distribute the opportunity among the contractors on the appropriate roster. "Equitably distribute" means that the City may not favor certain contractors on the appropriate small works roster over other contractors on the appropriate small works roster who perform similar services.

If the estimated cost of the work is from One Hundred Fifty Thousand Dollars (\$150,000.00) to Three Hundred Thousand Dollars (\$300,000.00), the City may choose to solicit bids from less than all the appropriate contractors on the appropriate small works roster but must notify the remaining contractors on the appropriate small works roster that quotations on the work are being sought. The City has the sole option of determining whether this notice to the remaining contractors is made by:

(1) Publishing notice in a legal newspaper in general circulation in the area where the work is to be done;

(2) Mailing a notice to these contractors; or

(3) Sending a notice to these contractors by facsimile or email.

(C) At the time bids are solicited, the City representative shall not inform a contractor of the terms or amount of any other contractor's bid for the same project.

(D) A written record shall be made by the City representative of each contractor's bid on the project and of any conditions imposed on the bid. Immediately after an award is made, the bid quotations obtained shall be recorded, open to public inspection, and available by telephone inquiry.

(c) Limited public works process.

(i) If a work, construction, alteration, repair, or improvement project is estimated to cost less than Thirty-Five Thousand Dollars (\$35,000.00), the City may award such a contract using the limited public works process provided under RCW 39.04.155(3). For a limited public works project, the City will solicit electronic or written quotations from a minimum of three (3) contractors from the appropriate small works roster and shall award the contract to the lowest responsible bidder as defined under RCW 39.04.010. After an award is made, the quotations shall be open to public inspection and available by electronic request.

(ii) For limited public works projects, the City may waive the payment and performance bond requirements of chapter 39.08 RCW and the retainage requirements of chapter 60.28 RCW, thereby assuming the liability for the contractor's nonpayment of laborers, mechanics, subcontractors, materialmen, suppliers, and taxes imposed under Title 82 RCW that may be due from the contractor for the limited public works project. However, the City shall have the right of recovery against the contractor for any payments made on the contractor's behalf.

(iii) The City shall maintain a list of the contractors contacted and the contracts awarded during the previous twenty-four (24) months under the limited public works process, including the name of the contractor, the contractor's registration number, the amount of the contract, a brief description of the type of work performed, and the date the contract was awarded.

(iv) **Determining lowest responsible bidder.** The City Council shall award the contract for the public works project to the lowest responsible bidder provided

that, whenever there is a reason to believe that the lowest acceptable bid is not the best price obtainable, all bids may be rejected and the City may call for new bids. A responsible bidder shall be a registered and/or licensed contractor who meets the mandatory bidder responsibility criteria established by Chapter 133, Laws of 2007 (SHB 2010) and who meets any supplementary bidder responsibility criteria established by the City.

(v) **Award.** The City Manager or his designee shall present all telephonic quotations/bids, and recommendation for award of the contract to the lowest responsible bidder to the City Council. However, for public works projects under Fifty Thousand Dollars (\$50,000.00), the City Manager shall have the authority to award public works contracts without City Council approval. For public works projects over Fifty Thousand Dollars (\$50,000.00), the City Council shall award all public works contracts.

(c) **Consulting services rosters.**

(i) **Consulting services.** Consulting services are professional services that have a primarily intellectual output or product and include architectural and engineering services as defined in RCW 39.80.020.

(ii) **Publication.** At least once a year, on behalf of the City, MRSC shall publish in a newspaper of general circulation within the jurisdiction a notice of the existence of the consulting services roster or rosters and solicit statements of qualifications from firms providing consulting services. Such advertisements will include information on how to find the address and telephone number of a representative of the City who can provide further details as to the City's projected needs for consulting services. Firms or persons providing consulting services shall be added to appropriate MRSC roster or rosters at any time that they submit a written request and necessary records. The City may require master contracts to be signed that become effective when a specific award is made using a consulting services roster.

(iii) **Professional architectural and engineering services.** The MRSC rosters will distinguish between professional architectural and engineering services as defined in RCW 39.80.020 and other consulting services and will announce generally to the public the City's projected requirements for any category or type of professional or other consulting services. The City reserves the right to publish an announcement on each occasion when professional services or other consulting services are required by the agency and to use paper and/or other electronic rosters that may be kept on file by appropriate City documents.

(4) **Public Works (subject to bid).** Public work projects exceeding Three Hundred Thousand Dollars (\$300,000.00) are subject to bid laws and shall be processed in accordance with the Revised Code of Washington. After opening of bids, results shall be submitted to the Council committee of origin

for study and recommendation prior to being presented to the City Council for approval and if there is no Council committee of origin, shall be considered by the Council as a whole. Action taken by the City Council in awarding the bid and directing the City Manager to sign contracts should include authority granted to the City Manager to expend funds in the amount of the bid award plus ten percent.

(5) **Purchase of supplies, material, equipment, and non-professional services.** For code cities of a population of 20,000 or greater there are no bidding requirements for purchases of supplies, material, equipment, or services which are not purchased in connection with a public work. For such purchases, the City Manager shall adopt written guidelines, subject to City Council approval, to ensure that purchases are made at the lowest possible price from a responsible vendor.

(6) **Architectural and Engineering Services.** Chapter 39.80 RCW provides that in selecting architectural and engineering consultants the City shall conduct discussions with one or more firms and shall select the firm deemed the most highly qualified to provide the services required for the proposed project. The Attorney General of the State of Washington has issued an opinion precluding cities from considering price when selecting architects and engineers, except for a final price negotiation after the most qualified architect or engineer has been selected. The following process shall govern awarding of contracts to architects or engineers:

(a) The City Manager shall advertise the architectural and engineering requirements;

(b) The City Manager shall thereafter enter into discussions with several firms and select the most qualified architect or engineer;

(c) The City Manager shall then negotiate the scope of work and price with the architect or engineer selected; and

(d) If the contract amount does not exceed \$50,000 and has been previously budgeted, the City Manager shall be authorized to sign a contract for such services without approval by the City Council or any committee thereof. If the contract amount exceeds \$50,000, the contract should appear on the consent calendar, subject to removal in accordance with the City Council Rules of Procedure.

(e) In case of a disaster, emergency, or immediate City need, including assistance on Capital Improvement Program projects and general engineering services previously approved by the Council, the City Manager shall be authorized to sign Task Order Assignments on multi-year "on-call" civil engineering services consultant contracts, which have been previously approved by the Council for services if the Task Order Assignment does not exceed \$50,000.

(f) The City Manager shall, as part of the City Manager's monthly report, provide the City Council with a list of contracts with consultants that have been approved by the City Manager pursuant to this resolution.

(g) The City Manager shall not allow task order assignments for a specific single project that cumulatively add up to an amount greater than \$50,000.00 without being approved by the City Council.

(7) **Leases of City real property.** Leases of City real property are subject to review and approval by the City Council. The mayor shall have discretion to submit any such lease to a standing or *ad hoc* committee for study and recommendation prior to being presented to the City Council for approval.

(8) **Contracts for general professional services.** Contracts for general professional services, which do not involve architects or engineers, are not subject to the bid laws of the State of Washington. Examples of such services are computer consultants, financial consultants, management consultants, and the like. The process for awarding general professional services contracts shall be as follows:

(a) The City Manager shall research the persons and firms that are available to provide such professional services, taking into consideration recommendations from any source.

(b) The City Manager shall then negotiate a contract with the party selected, including scope of work and price.

(c) If the contract amount exceeds \$50,000, the contract should appear on the consent calendar, subject to removal in accordance with the City Council Rules of Procedure.

(9) **Administrative contracts.** Administrative contracts are contracts which do not fall into any other category described in this rule, and are for services previously budgeted by the City Council. Examples of administrative contracts are agreements with the Sexual Assault Center, VanGo, Senior Nutrition, D.A.W.N., and the like. The City Manager is authorized to execute administrative contracts, and the same shall not be subject to approval by the City Council or any committee thereof.

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Resolution No. 1118
Page 7 of 7

Sec. 2. Resolution Nos. 1056 and 1067 are rescinded.

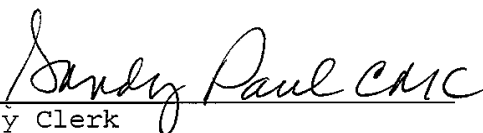
ADOPTED BY the City Council of the City of Des Moines, Washington this 11th day of February, 2010 and signed in authentication thereof this 11th day of February, 2010.


MAYOR

APPROVED AS TO FORM:


City Attorney

ATTEST:


City Clerk

**Small Works Roster
Sample Direct Contracting Procedures**

1.0 Purpose

- 1.1 This document provides the procedures to be followed under direct contracting using the small works roster allowed under RCW 39.04.152 for contracts estimated to cost \$150,000 or less.

2.0 Policy

- 2.1 It is [authorized local government/agency's] policy **not to favor contractors** by repeatedly awarding contracts to the same contractor without documented attempts to rotate.
- 2.2 It is [authorized local government/agency's] policy **to equitably distribute contracting opportunities** to small businesses that are registered on the small works roster, and as feasible, not award to the same contractor twice in a row.
- 2.3 When project(s) are estimated to cost \$150,000 or less, excluding sales tax, contract and procurement staff will endeavor to exercise the option to direct contract with small, women, minority, and veteran-owned firms registered *on the small works roster* as allowed under RCW 39.04.152(4)(b).

3.0 Procedures

3.1 Planning to Direct Contract

3.1.1 Project Estimate

When a project intended to be procured using the small works roster process and is estimated to cost **\$150,000** or less, the agency will attempt to direct contract.

The project's estimated cost is assumed to **include** change orders but **exclude** sales tax. To account for inclusions and exclusions, the maximum project cost estimate to use the direct contracting process is **\$135,000**.

3.1.2 Business Utilization Plan

When planning to direct contract agency staff must review the current Business Utilization Plan to understand if the project type and/or (work) category has been identified as a small business opportunity.

3.1.3 Prepare Direct Contracting Bidding Documents

Using the agency's **small works direct contracting templates**, prepare the following project-specific documents:

- A. Invitation to Direct Contract/Negotiate
- B. Direct Contracting/Negotiation Bid Form

- C. Contract (general conditions, etc.)
- D. Other project-specific documents as may be necessary.

3.2 Generating a “project specific roster”

- 3.2.1 After the “direct contracting bidding documents” are prepared, log into MRSC Rosters using your specific credentials and select “generate a small works roster.”
- 3.2.2 Enter the agency project name and contract number then select “under \$150,000.”
- 3.2.3 Select the primary project type and (work) category. The project type and work category should reflect the majority project need, it is best not select smaller work scopes or anticipated subcontracting scopes.
- 3.2.4 Generate the roster, assess distribution of certified/small contractors verses non-certified contractors.
- 3.2.5 Apply *rotation*.

3.3 Rotating

When using the direct contracting small works process the agency will rotate or attempt to rotate in all cases. If the agency’s rotation policy does not apply to your specific project, you will document the process and rotation applied to assure that a different contractor than the last contracted is provided the opportunity to direct contract.

3.3.1 Six or more Small Businesses

If the project specific roster contains **6 or more** Small Businesses, *rotation* must be applied to those Small Businesses.

A. Rotation Process: Rotation is applied by reviewing the date of the last contract with business on the project specific roster in the order they appear. If the last contracted date is within a **12-month period**, the next business on the project specific roster is reviewed. This review approach is to continue until a business that has not been contracted with in the last **12-month** period is identified.

B. Once the next available/rotated contractor is identified, they are sent a procurement package in accordance with the **Small Works Direct Contracting Negotiation** procedure.

3.3.2 Five or fewer Small Businesses

If the project specific roster contains **5 or fewer** Small Businesses, rotation must be applied to **all businesses** within the project specific roster.

A. Rotation Process is applied. Once the rotated contractor is identified, they are sent a procurement package in accordance with the **Small Works Direct Contracting Negotiation** policy/procedure.

3.3.3 No Small Businesses

If there are no Small Businesses listed on the **project specific roster**, rotation is applied to all businesses.

Rotation Process is applied. Once the rotated contractor is identified, they are sent a procurement package in accordance with the **Small Works Direct Contracting Negotiation** policy/procedure.

3.3.4 One Business

If there is only one business on the **project specific roster**, rotation is not practicable. Documentation will include the project specific roster to demonstrate the single contractor.

Once the contractor is identified, they are sent a procurement package in accordance with the **Small Works Direct Contracting Negotiation** policy/procedure.

3.3.5 Rotation Documentation

Procurement staff shall document the process and approach used to rotate through responsible contractors on a project specific roster. Documentation could include, but is not limited to, printing the project specific roster, and noting each contractor considered through review of their “last contracted” date and reference to the Small Business Utilization Plan. Staff are encouraged to use the “Rotation Documentation Form.”

3.3.6 Multiple Procurements in the same Project Type and Category

Procurement staff are encouraged to use **the same project specific roster** and rotate starting at the bottom of the list when procurements for the same Project Type and Category are anticipated. This approach provides the maximum practicable opportunities to rotate through the same list of contractors and equitably distribute work among all Small Businesses in registered in a project type and category. (e.g., 3 roof replacements in a 12-month period, goes to 3 different roofers).

3.3.7 Rotated Businesses Declines to Negotiate

If rotated business declines to negotiate, procurement staff will first attempt to negotiate with the next rotated business. If all rotated businesses decline to negotiate, procurement staff can elect to revert the solicitation to the competitive process and invite all businesses on a project specific roster, cancel the solicitation all together, or publicly bid. Procurement staff are encouraged to ask contractors that decline the reason.

3.4 Determining interest and inviting “rotated” contractor.

Direct contracting will be conducted using agency **email only**. **Only one contractor will be invited to direct contract at a time.**

3.4.1 Using the agency email **template** for “direct contracting interest request,” notify **the contractor** that they are the next rotated business and give them **one business day** to agree or decline the opportunity. Be sure to include the project type, (work) category, estimate, and general description along with the anticipated timeframe for construction.

A. Should the contractor decline, or not respond within the time given, document the outcome, and move to the next rotated contractor.

3.4.2 Send Invitation and Bidding Documents *only to the next rotated contractor on the project-specific roster*. Include a time frame to receive the bid. Bid due date and time can be project specific and depends on the level of effort involved in preparing a bid, **the default is 10 business days**.

3.4.3 Should the contractor request a site-walk or need to ask questions, the request is to be accommodated similar to the “standard” public works process.

3.5 Direct contracting without negotiation

A bid submitted within the stated contract/project estimate should be accepted without negotiation. Only if a bid amount is not acceptable or if the contractor requests negotiations should negotiation be used.

3.6 Negotiating to determine the award amount.

“Negotiation” is the term used to indicate a process to be followed when an award amount needs to be established that is different from a bid amount or a potential bid amount. **Negotiation process and documentation requirements are to be included in the **Instructions to Bidders**.**

3.6.1 Intent

The direct contracting “negotiation” process is intended to the build capacity of small contractors by affording the contractor one-on-one conversation with **the agency** to prepare a bid without the pressure of competition. It is not intended to be a process to “haggle” or “lower” a bid price. The intent is to build a “pathway to being a prime.”

3.6.2 Negotiation option 1 – Q&A, Addenda

One option for documenting negotiations is to set up a specific “question and answer” process. In this option, *the bidder requests “negotiations”* by

submitting questions/clarifications in the **form and format provided in the bidding documents**. Staff will then respond as appropriate and then *issue an addendum* that memorializes the new agreed terms, schedule, price, etc. The bidder proceeds to submit a bid on the template bid form.

3.6.3 Negotiation option 2 – Bid Form

Another option for documenting negotiations is to use the **Small Works Direct Contracting Bid Form** that includes a section for “negotiation.” In this option, *staff requests “negotiations” by “countering”* the bid submitted with questions, clarifications, or similar, to establish an award amount.

3.6.4 Bid Breakdown

It is the policy of **[agency/local government]** to review all bids received through direct contracting at the “bid item” or “schedule of values” level to help the small business carefully and accurately build a bid. As such, all direct contracting processes will include a review of the bid item breakdown and or schedule of values with the award request.

3.6.5 Failure to reach an agreed award amount.

Although rare, there may be an occasion where an award amount cannot be agreed upon. If such occurs, staff will need to send notice to the contractor that the “negotiation process” is terminated and provide 2 business days (protest period) before contacting the next rotated contractor from the project-specific roster. Should a negotiation process be terminated staff will need to document the rationale in place in the project file.

Allowable rationale for terminating direct contract negotiations is:

- A. Scope. The scope of work cannot be agreed.
- B. Schedule. The schedule cannot be agreed.
- C. Budget.* After confirmation of scope, schedule, and some cost verification, the budget is determined not sufficient.

*If budget/cost is confirmed to be outside of the project estimate, the solicitation is to be cancelled reassessed. Staff is not allowed to rotate to the next available contractor to try to renegotiate with the next contractor. This will be considered “haggling” and is not compliant with this procedure or our direct contracting policy.

3.7 Awarding

Awarding a small works direct contract is the same as awarding a small works competitive contract and will follow standard public works award processes. The successful contractor will be sent a notice of award and requests for bonding and insurance per the contract documents.

3.8 Notification

At the conclusion of negotiations with the directly selected, rotated contractor, procurement staff must send notification to all the *small businesses* on **the project specific roster** of the selection which includes the basis of rotation as documented.

3.9 Posting data

At the conclusion of the Award process, after notification to small businesses on the project specific roster has been issued, direct contracting and award data must be manually entered into the **small works roster data collection portal**. This includes all contractors on the project specific roster and the rotation order.

4.0 Definitions

- 4.1 **Small Works Roster** has the same meaning as RCW 39.04.151-154.
- 4.2 **Direct Contracting** means the ability to select one contractor and negotiate a price for a public works project that is estimated to cost \$150,000 or less in accordance with RCW 39.04.152(4)(b) applicable policies.
- 4.3 **Negotiation** means the process in direct contracting used to establish the award amount with a single contractor.
- 4.4 **Small Business** means the same as RCW 39.04.010(7).
- 4.5 **Small Business Utilization Plan** means the same as described in RCW 39.04.152(4)(b)(iv).
- 4.6 **Project Specific Roster** means the same as “appropriate roster” or “applicable roster” and is the specific list of businesses generated for an individual solicitation.
- 4.7 **Rotation** means identifying a contractor not previously awarded in the same project type and (work) category.
- 4.8 **Rotation Documentation** means the documented process procurement staff used to ensure compliance with rotation policy and/or procedures.

5.0 Related Documents

[insert titles, links, or similar other relevant documents such as the agency’s resolution and Business Utilization Plan.]

**Small Works Roster
Direct Contracting
Sample Rotation Policy**

1.0 Purpose

This document provides policy and implementation guidance regarding small works roster direct contracting rotation.

As required under RCW 39.04.152(4)(b) when an authorized local government or state elects to direct contract, rotation of contractors is required.

This policy applies exclusively to small works roster direct contracting procurements.

2.0 Policy

- A. It is the [authorized local governments/agency's] policy to **equitably distribute contracting opportunities** to small and diverse businesses on the small works roster.
- B. When project(s) are estimated to cost \$150,000 or less, a rotation contractors must be used in accordance with this policy on every **direct contracting** procurement, when the [agency] has more than one procurement in a single project type and category within a **12-month or 1-year period.**
- C. Documentation evidencing compliance with this policy, shall be included with each small works direct contracting procurement record.
- D. Each procurement opportunity under which direct contracting is used shall also be consistent with the [agency's] "Small Business" **Utilization Plan.**
- E. It is [agency's] policy not to favor certain contractors on a project specific roster by repeatedly awarding contracts without Rotation Documentation. (RCW 39.04.152(4)(b)(iv).

3.0 Implementation

A. Project Specific Roster/List of Businesses

A *list of contractors* to which "rotation" must be applied is generated by starting a solicitation, selecting a project type and category [of work] then the [statewide] roster produces a **project specific roster.**

B. Six or more Small Businesses

If the **project specific roster** contains 6 or more Small Businesses, *rotation* must be applied to those Small Businesses.

Rotation Process: Rotation is applied by reviewing the date of the last contract with business on the project specific roster in the order they appear. If the last contracted date is within a 12-month period, the next business on the project specific roster is reviewed. This review approach is to continue until a business that has not been contracted with in the last 12-month period is identified.

Once the rotated contractor is identified, they are sent a procurement package in accordance with the **Small Works Direct Contracting Negotiation** policy/procedure.

C. Five or fewer Small Businesses

If the **project specific roster** contains 5 or fewer Small Businesses, rotation must be applied to all businesses within the project specific roster.

Rotation Process is applied. Once the rotated contractor is identified, they are sent a procurement package in accordance with the **Small Works Direct Contracting Negotiation** policy/procedure.

D. No Small Businesses

If there are no Small Businesses listed on the **project specific roster**, rotation must be applied to all businesses.

Rotation Process is applied. Once the rotated contractor is identified, they are sent a procurement package in accordance with the **Small Works Direct Contracting Negotiation** policy/procedure.

E. One Business

If there is only one business on the **project specific roster**, rotation is not practicable. Documentation will include the project specific roster to demonstrate the single contractor.

Once the contractor is identified, they are sent a procurement package in accordance with the **Small Works Direct Contracting Negotiation** policy/procedure.

F. Rotation Documentation

Procurement staff shall document the process and approach used to rotate through responsible contractors on a project specific roster. Documentation could include, but is not limited to, printing the project specific roster, and noting each contractor considered through review of their “last contracted” date and reference to the Small Business Utilization Plan. Staff are encouraged to use the “Rotation Documentation Form.”

G. Multiple Procurements in the same Project Type and Category

Procurement staff are encouraged to use **the same project specific roster** and rotate starting at the bottom of the list when procurements for the same Project Type and

Category are anticipated. This approach provides the maximum practicable opportunities to rotate through the same list of contractors and equitably distribute work among all Small Businesses in registered in a project type and category. (e.g., 3 roof replacements in a 12-month period, goes to 3 different roofers).

H. Notification

At the conclusion of negotiations with the directly selected, rotated contractor, procurement staff must send notification to all the *small businesses* on **the project specific roster** of the selection which includes the basis of rotation as documented.

I. Rotated Businesses Decline to Negotiate

If rotated business declines to negotiate, procurement staff will first attempt to negotiate with the next rotated business. If all rotated businesses decline to negotiate, procurement staff can elect to revert the solicitation to the competitive process and invite all businesses on a project specific roster, cancel the solicitation all together, or publicly bid. Procurement staff are encouraged to ask contractors that decline the reason.

4.0 Definitions

- A. **Small Works Roster** has the same meaning as RCW 39.04.151-154.
- B. **Direct Contracting** means the ability to select one contractor and negotiate a price for a public works project that is estimated to cost \$150,000 or less in accordance with RCW 39.04.152(4)(b) applicable policies.
- C. **Small Business** means the same as RCW 39.04.010(7).
- D. **Small Business Utilization Plan** means the same as described in RCW 39.04.152(4)(b)(iv).
- E. **Project Specific Roster** means the same as “appropriate roster” or “applicable roster” and is the specific list of businesses generated for an individual solicitation.
- F. **Rotation** means identifying a contractor not previously awarded in in the same project type and category.
- G. **Rotation Documentation** means the documented process procurement staff used to ensure compliance with this policy.

5.0 Supporting Policies

The following policies/procedures support and may apply to small works roster, direct contracting rotation.

- A. Small Works Roster (general) policy
- B. Direct Contracting Policy
- C. Negotiations Policy
- D. “Small Business” Utilization

**Small Works Roster
Direct Contracting
Sample Business Utilization Plan**

Agency			
Effective Date		End Date	
Plan Administrator			

Purpose

[AGENCY] is reserving the option to use Direct Contracting as practicable in the Small Works Roster process. As required under RCW 39.04.152(4)(b)(iv), [AGENCY] is preparing the following *small, minority, women, and veteran-owned business utilization plan*.

Intent and Policy

It is the agency's policy to not favor contractors by repeatedly awarding contracts without documented attempts to negotiate with others.

This plan is intended to help increase the likelihood of small works roster awards going to a broad range of small businesses.

This plan is to be referred to with each procurement for small works with a \$150,000 estimate or less and will be referred to by [AGENCY] staff as they solicit and negotiate using Direct Contracting.

Transparency

This plan will be assessed and posted annually [Q2] by the **plan administrator**. The achieved utilization will be publicly reported [where and when].

Goal

The agency's goal is to award small and diverse businesses **half [50%]** of all the small works projects awarded the *Utilization Plan's Effective Period* in the following way.

Projects Anticipated	Target Small Business Awards
10	5

Project Type	Categories	Small Business Id
Building/Facilities	Renovations	X
Building/Facilities	Parking Lot Rehab	
Building/Facilities	Security Upgrades	
Parks, Grounds, Landscaping	Irrigation Replacements	X
Parks, Grounds, Landscaping	Lighting Upgrades LED	
Roads	Sidewalk repairs	X
Roads	Crosswalk Enhancements	
Roads	Pedestrian Improvements	
Civil	Water pipe replacements	

Civil	Side sewer repairs	X
Civil	Slope stabilizations	X

Utilization Achieved

The [agency] achieved **[50%]** utilization of small business as follows:

Project Name	Project Type	Category	Small Business
Permit Counter Reno	Building/Facilities	Renovation	X
South Hall Parking Lot Restriping	Building/Facilities	Parking Lots	X
Main Street Channelization	Roads	Street Channelization	
Sidewalk Repairs 1 st to 3 rd	Roads	Sidewalks	X
Star Park Playground Replacement	Parks	Playgrounds	
19 th Ave Side Sewer Repairs	Civil	Side Sewer	

For details on each award, please see our small works award data publicly available **[INSERT]**.

Plan Evaluation and Improvements [“+” = positive/useful, “-“= needs improvement]

- ☐ Projects Identification/Planning:
 - o Rating: +
 - o Discussion: even though achieved projects were not the same as initially planned the project types and categories were used.
- ☐ Businesses Identification:
 - o Rating: -
 - o Discussion: not all bidder pools were reviewed ahead of each solicitation.
- ☐ Business Engagement:
 - o Rating: +
 - o Discussion: *notice of upcoming solicitations* were sent ahead of invitations which resulted in small business representation with each solicitation.
- ☐ Process Review:
 - o Rating: -
 - o Discussion: struggling with *negotiations*, process is taking too long.

Overall Evaluation: *Not suggesting any significant changes other than identifying new projects and small business opportunities for the next year. Recommend continued training or similar on negotiation process.*

Related Policies

1. Small Works Resolution
2. Direct Contracting Policy and Procedure
3. Rotation Policy
4. Negotiation Procedure

Reviewed By:

- ☐ Manager X: _____ [initials], [Name], [Title], [Date]
- ☐ Director X: _____ [initials], [Name], [Title], [Date]
- ☐ Other: _____ [initials], [Name], [Title], [Date]

UPDATING RESOLUTION 1118 CONCERNING PUBLIC CONTRACTS

MATTHEW HUTCHINS, ASSISTANT CITY ATTORNEY

JUNE 5, 2025



PREVIEW

- This item is intended to bring City policies in line with changes to state law regarding public works contracting
- This presentation will:
 - Explain the three methods for public works contracting previously adopted by the City Council
 - Explain the changes made by the Legislature to two of these options (for lower dollar projects) that will need to be adopted in order to continue using these policies
 - Identify staff's proposed amendments to the City's policy to adopt the legislature's required changes
 - Seek Council's input on a few technical points for implementing these changes

PUBLIC WORKS CONTRACTS

- “Public work”: [A]ll work, construction, alteration, repair, or improvement other than ordinary maintenance, executed at the cost of the state or of any municipality, or which is by law a lien or charge on any property therein.
- Highly regulated and governed by RCW chapter 39.04
- City Council adopted three processes through Resolution 1118:
 - Competitive Bidding (default)
 - Small Public Works (optional – must be authorized by Council)
 - Limited Public Works (optional – must be authorized by Council)
- Legislature has made changes to the two optional public works contracting procedures adopted in Resolution 1118
- New procedures will need to be adopted to continue utilizing alternative procedures for small dollar projects

PUBLIC WORKS COMPETITIVE BIDDING PROCESS

- Prepare formal plans, specifications, and engineer's cost estimate
- Publish notice in newspaper of record generally stating the nature of the work to be done
- Plans and specifications made available for inspection by bidders
- Sealed bids to be opened at on a specific date and time
- Award contract to lowest responsive bidder or reject all
- Must be used unless specific exception applies
 - Small public works
 - Limited public works

CHANGES TO SMALL PUBLIC WORKS PROCESS

- | | | |
|---|----|---|
| ■ RCW 39.04.155 (repealed) | ←→ | ■ RCW 39.04.152 (new law) |
| ■ Public works projects up to \$300,000 | ←→ | ■ Public works projects up to \$350,000 not including sales tax |
| ■ Invite telephone, written, or electronic quotations from all contractors on appropriate roster | ←→ | ■ Invite written or electronic bids notifying all contractors on the applicable roster that have indicated interest in performing work in the applicable geographical area |
| ■ Alternatively, invite quotations from at least five contractors from appropriate roster who have indicated capability of doing the specific kind of work, in a manner that will equitably distribute opportunity among contractors | ←→ | ■ Alternative method no longer exists |
| ■ Invitations shall include estimate of scope and nature of work as well as materials and equipment to be furnished, but detailed plans and specifications not required | ↔ | ■ Invitations shall include estimate of scope and nature of work as well as materials and equipment to be furnished, but detailed plans and specifications not required |
| ■ Advertisement not required | ←→ | ■ Advertisement not required |
| ■ Assure that a competitive price is established and to award contracts to the responsible bidder with the lowest responsive bid. | ↔ | ■ Assure that a competitive price is established and to award contracts to the responsible bidder with the lowest responsive bid. |

CHANGES TO LIMITED PUBLIC WORKS PROCESS

- | | | | |
|--|---|---|---|
| ■ RCW 39.04.155 (repealed) | ← | → | ■ RCW 39.04.152 (new law) |
| ■ Public work projects up to \$50,000 | ← | → | ■ Public works projects up to \$150,000 not including sales tax |
| ■ Solicit electronic or written quotations from at least three contractors on appropriate roster | | → | ■ If six or more “small business” contractors on applicable roster willing to perform work in area, must select contractor to negotiate with according to rotation policy |
| ■ Award contracts to the responsible bidder with the lowest responsive bid. | | → | ■ If five or fewer, may initiate direct contracting with any contractor, but should make attempt to rotate |
| ■ Must equitably distribute limited public works opportunities among willing contractors in the area | | → | ■ Must adopt rotation policy and business utilization plan |
| ■ Advertisement not required | ← | → | ■ Advertisement not required |
| ■ No longer exists | | | ■ New procedure called “direct contract” process |

PROPOSED CHANGES TO CONTRACTING POLICIES

- Update “small public works” section by removing specific outdated language and adopting the RCW “invitation to bid” procedures by reference
- Update “limited public works” section by removing specific outdated language and adopting the RCW “direct contracting” procedures by reference
- Move MRSC roster provisions into own section
- Adopt policies required to use direct contracting process
- Incorporate minor change in retainage policy per state law for projects under \$5,000

QUESTIONS FOR THE COUNCIL

- Should MRSC's model policies be adopted as the City's policies for implementing direct contracting procedures?
 - Options
 - Adopt the model policies
 - Staff creates new policies
 - Don't adopt policies – cannot use direct contracting
- Should the threshold amounts for use of the small works procedures be set by resolution or pegged to the thresholds set by the Legislature?
 - Options
 - Insert reference to RCW – thresholds change when state law changes
 - Insert set dollar amount thresholds – council action will be required to change
- Should the suggested contingency percentage for public works contracts be increased from the current level of ten percent?
 - Options
 - Keep at 10%
 - Higher suggested percentage
 - As determined by the City Manager on a per project basis



THANK YOU

Questions?

A G E N D A I T E M

BUSINESS OF THE CITY COUNCIL City of Des Moines, WA

SUBJECT: Comprehensive Plan Update

FOR AGENDA OF: May 1, 2025

DEPT. OF ORIGIN: Community Development

ATTACHMENTS:

DATE SUBMITTED: April 16, 2025

1. [Comprehensive Plan Changes 6.5.25 Study Session Chart](#)
2. [Chapter 2: Land Use Element – Redlines](#)
3. [Chapter 2: Land Use Element - Clean](#)
4. [Chapter 7: Housing Element - Redlines](#)
5. [Chapter 7: Housing Element - Clean](#)
6. [Proposed Land Use Map Changes](#)

CLEARANCES:

- ☐ City Clerk _____
☒ Community Development 
☐ Courts _____
☐ Finance _____
☐ Human Resources _____
☒ Legal /s/TG _____
☐ Marina _____
☐ Police _____
☐ Parks, Recreation & Senior Services _____
☐ Public Works _____

APPROVED BY CITY MANAGER

FOR SUBMITTAL: **Purpose and Recommendation**

The purpose of this agenda item is for the Council to consider Chapter 2: Land Use Element and Chapter 7: Housing Element of the Des Moines Comprehensive Plan Periodic Update, including the Land Use Map.

Background

The Des Moines Comprehensive Plan is a policy document that describes how the City will manage its growth and provide necessary services and facilities over a 20-year planning horizon (Year 2044). Des Moines is designated as a High Capacity Transit Community and needs to plan for an additional 3,800 housing units, 2,380 new jobs and 726 net new permanent Emergency Housing Units by 2044.

The comprehensive plan includes 12 elements that address community characteristics; land use; transportation; conservation and environment; capital facilities, utilities and public services; parks, recreation and open space; housing; economic development; neighborhoods (North Central, Marina District and Pacific Ridge); and health. Each element includes a general summary of existing conditions along with goals and policies, and implementation strategies that indicate how the city, programs, and priorities will implement the Plan's goals and policies.

The periodic update requires a thorough review of each element of the Plan to ensure it reflects new laws and requirements, demonstrates capacity to meet our growth targets, responds to changing conditions within the community and addresses agency, tribal, and community interests expressed via our public outreach efforts.

To help frame the scope of our update, our consultant AHBL completed a review of the existing comprehensive plan and development regulations for consistency with the Washington State Department of Commerce's update checklists, legislative amendment to the Growth Management Act (GMA), Vision 2050 and Countywide Planning Policies (CPPs), and identified updates needed to comply with these requirements.

Council History

6/22/2023: Economic Development Committee Briefing
7/13/2023: City Council Briefing
1/25/2024: Economic Development Committee Update (Timeline)
3/28/2024: Economic Development Committee Presentation (Introduction and Land Use Elements)
4/11/2024: Environment Committee Presentation (Conservation and Environment Element)
4/25/2024: Economic Development Committee Presentation (Economic Development, North Central Neighborhood, Marina District, and Pacific Ridge Elements)
5/9/2024: Environment Committee (Conservation and Environment Element Follow-up)
5/9/2024: Transportation Committee (Comp Plan Briefing and Transportation Goals)
6/22/2024: Economic Development Committee (Comp Plan Housing Bills Update)
6/27/2024: Economic Development Committee (Capital Facilities, Utilities & Public Services, and Parks, Recreation & Open Space Elements)
7/25/2024: Economic Development Committee (Healthy Des Moines Element)
9/26/2024: Economic Development Committee (Housing Element)

Public Outreach

Dedicated Website: <https://imaginedesmoines2044.com/>
Public Survey open from 7.27.23 – 12.4.23 with 482 Responses
Booth at Farmers Market & National Night Out
City Currents Articles

Discussion

Chapter 2: Land Use Element

The Land Use Element (LUE) addresses the general location and distribution of land uses within the City, the design and quality of the built environment, and provides the framework for other Plan Elements. The goals, policies and strategies listed in this element are meant to promote land use decisions and zoning to create future development opportunities in suitable locations for the next 20 years. Key considerations to be covered in the LUE are outlined in RCW 36.70A.070 (1).

Most of the substantive changes to the goals, policies and implementation strategies relate to updated state, regional and county requirements.

Chapter 7: Housing Element

This Housing Element contains the goals and policies that identify steps the City of Des Moines can take in response to housing issues found within the community. These steps are intended to ensure the vitality of the existing residential stock, estimate current and future housing needs, and provide direction to implement programs that satisfy those needs consistent with the goals and requirements of the Growth Management Act (GMA).

Our work includes the integration of numerous changes that have occurred across agencies and in the state law that must be incorporated into the local plan. A few of the most significant topics which have driven the revisions are:

1. **Housing Action Plan** - Edits have also been made in consideration of the city's history, goals, recent developments, and recommendations. This includes information from the Housing Action Plan (HAP) and the accompanying Housing Needs Assessment (HNA) as adopted by Council in 2023.
2. **Public Input and Engagement** - Feedback gained from the various public meetings that have been held to date for this project, and feedback from the City's survey, has been incorporated into suggested changes.
3. **Equity Considerations per King County** - The recent update to the CPPs added a new guiding principle, "centering social equity and health," to help address the racial inequities that emerged from historical land use and housing policies. Centering equity in the CPPs requires ongoing improvements to policies and resource allocation amount King County jurisdictions that explicitly address and remedy disparities in determinants of equity. The intent is that the new CCPs should help respond to the legacy of discriminatory housing and land use policies and practices (such as exclusionary zoning, etc.) that have led to significant racial and economic disparities in access to housing.
4. **State Requirements are Expanded** - The GMA requirements that set out what must be included in a Housing Element have dramatically changed since the city last performed a periodic update to its plan. Looking back to 2017, RCW 36.70A.070(2) then only stated:

A housing element ensuring the vitality and character of established residential neighborhoods that:

- (a) Includes an inventory and analysis of existing and projected housing needs that identifies the number of housing units necessary to manage projected growth;*
- (b) includes a statement of goals, policies, objectives, and mandatory provisions for the preservation, improvement, and development of housing, including single-family residences;*
- (c) identifies sufficient land for housing, including, but not limited to, government-assisted housing, housing for low-income families, manufactured housing, multifamily housing, and group homes and foster care facilities; and*
- (d) makes adequate provisions for existing and projected needs of all economic segments of the community.*

Now, these requirements have been significantly expanded. The RCW is now much longer and more detailed and requires in-depth analysis of many factors, such as the identification of local polies and regulations that result in result in racially disparate impacts, displacement, and exclusion in housing. As you read through the updated draft Element we have prepared, you will see that we have had to significantly expand the level of detail and discussion in this Element.

5. **Additional GMA Legislative Changes** - A lot of new legislation addressing the housing crisis (which is a big problem at the regional level and is also occurring nationwide) came out of the 2022-2023 session. There is a lot of work to be done in response to the new legislation passed into

law in our State. Some changes need to be made to the city’s Comprehensive Plan (in particular the Housing Element) while other changes will need to be made to the city’s *development codes*.

6. ***Growth Target Revisions*** - King County’s Growth Management Planning Council (GMPC) convenes elected officials from King County and its corresponding cities to develop and recommend countywide policy changes to the King County Council. New updates to the King County Countywide Planning Policies (CPPs) were ratified on November 30, 2023 (King County CPPs). These policies provide an aligned framework for growth management planning for all the local jurisdictions within King County, in accordance with PSRC’s VISION 2050 and RCW 36.70A.210 (a state statute requiring that “the legislative authority of a County...shall adopt a Countywide planning policy in cooperation with the cities located in whole or in part within the County”).
7. ***King County Affordable Housing Committee*** (AFH) - One new requirement which we have coordinated for is review by the AFH. Under the newly formed “Housing-focused Draft Comprehensive Plan Review Program” (established as part of the revised King County Countywide Planning Policies) our draft has been reviewed by the committee. The committee’s goal is to review each jurisdiction’s draft comprehensive plan for alignment with the CPP Housing Chapter goals and policies prior to plan adoption.

Comprehensive Plan Land Use Map

The Comprehensive Plan Land Use Map identifies the land use classifications and densities recommended for each area of the City. Land Use Policy LU 1.8.1 states “Create consistency between the uses designated in the City of Des Moines Comprehensive Plan Land Use Map with those designated on the City of Des Moines Zoning Map, as required by law. The zoning map shall officially designate land use and density in the City.” Staff reviewed the Zoning Map and the Land Use Map to identify discrepancies between. In each table, the land use and/or zoning discrepancy is identified within the middle two columns, and a proposed amendment is in the discussion/notes column. An image of the proposed amendments and attached in the below linked map.

Marina District

Label	Comp Plan Land Map Classification	Zoning Designation	Discussion/Notes
MD.1	Portion MF, Portion COM	RM-900 (All)	Staff is recommending updating the Comp Plan Land Use Map to MF and removing the overlapping land use designation to conform with the zoning.
MD.2	Portion MF, Portion COM	D-C (All)	Staff is recommending updating the Comp Plan Land Use Map to COM and removing the overlapping land use designation to conform with the zoning.
MD.3	Portion MF, Portion COM	D-C (All)	Staff is recommending updating the Comp Plan Land Use Map to COM and removing the overlapping land use designation to conform with the zoning.
MD.4	MF	D-C (All)	Staff is recommending updating the Comp Plan Land Use Map to COM and removing the overlapping land use designation to conform with the zoning.

MD.5	Portion MF, Portion COM	D-C (All)	Staff is recommending updating the Comp Plan Land Use Map to COM and removing the overlapping land use designation to conform with the zoning.
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North Central

Label	Comp Plan Map Classification	Zoning Designation	Discussion
NC.1	BP	RS-8400	Staff is proposing updating the Comp Plan Land Use Map to SF and conforming to the zoning, based on the Ordinance 1771 passed by Council in 2023 looking at the zones in this area.

Redondo

Label	Comp Plan Map Classification	Zoning Designation	Discussion / Notes
R.1	SF	RA-3600	Staff is recommending updating the Comp Plan Land Use Map to MF to conform with the zoning.
R.2	MF	R-SE	Staff is recommending updating the Comp Plan Land Use Map to PF to conform with use as this parcel is Redondo Waterfront Park with a utility pump station adjacent to the park.

South Des Moines

Label	Comp Plan Map Classification	Zoning Designation	Discussion / Notes
SDM.1	MF	R-SR	Staff is recommending updating the Comp Plan Land Use Map to SF to conform with the zoning.

Woodmont

Label	Comp Plan Map Classification	Zoning Designation	Discussion / Notes
W.1	PF	W-C	Staff is recommending updating the Comp Plan Land Use Map to COM to conform with the zoning. Parcel 282204-9211 is currently owned by Midway Sewer District. The land is currently vacant.

Council Direction

Staff is looking for Council approval of the Land Use Element, Housing Element, and Land Use Map or Council consensus on changes for the Council Public Hearing and possible adoption. Staff will bring back the approved Chapters for Council Public Hearing and possible adoption as a whole Comprehensive Plan.

COMPREHENSIVE PLAN UPDATE

COUNCIL STUDY SESSION 6/5/2025



PURPOSE OF PERIODIC REVIEW AND UPDATE

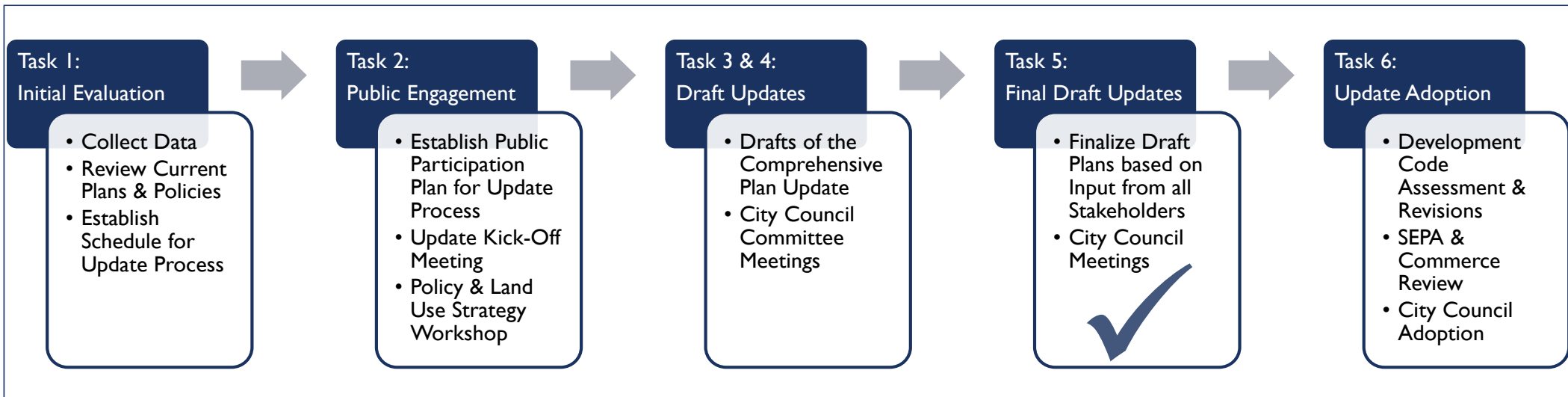
- GMA requires the City to review and revise its comprehensive plan and development regulations by December 31, 2024 (RCW 36.70A).
- Key Considerations:
 - Reflect new laws and requirements;
 - Demonstrate capacity to meet growth targets;
 - Respond to changing conditions with the community; and
 - Address Agency, Tribal and community interests expressed via public outreach efforts.

COMPREHENSIVE PLAN ELEMENTS (CHAPTERS)

- Land Use
- Transportation
- *Conservation and Environment*
- *Capital Facilities, Utilities, and Public Service*
- *Parks, Recreation, and Open Space*
- Housing
- *Economic Development*
- *North Central Neighborhood*
- *Marina District Element*
- *Pacific Ridge Element*
- *Healthy Des Moines*



COMPREHENSIVE PLAN UPDATE PROCESS



August: Transportation Element

September: Public Hearing

WHAT IS THE COMPREHENSIVE PLAN?

- 20-year plan to articulate a community vision through a series of goals, objectives, and policies.
- The Growth Management Act (GMA) requires that cities update local comprehensive plans every 10 years.
- Integrate other related efforts (i.e. mobility plans or economic development plans) into a cohesive, interconnected framework of policies.
- Includes required growth targets.
- **High-level policy document.**





COUNCIL ROLE

- Does it meet the vision for the City within the legal requirements?
- Are there additional goals or policies that should be considered?
- Approve the Comprehensive Plan.



STAFF ROLE

- Lead Public Engagement
- Update Comprehensive plan with:
 - New population and housing data
 - Replace outdated information
 - State legal requirements
 - County Planning Policy changes
 - Puget Sound Regional Council Policy changes
 - Input received from public outreach and council meetings
- Review and make recommendations

COMPREHENSIVE PLAN UPDATE REVIEW

- Chapters:
 - Land Use Element and Housing Element, including Land Use Map.
- Provided Council with Redlines and Clean version of chapters.
- Provided Excel Summary of Changes with rationale.
- Review Summary of Major Changes in each chapter.
- Review changes staff identified to ensure they align with council's vision for the Comprehensive Plan.
- Check in at the end of each chapter to see if Council has any question, has agreed upon changes or is good with proceeding with the chapter as presented.
- Check in with Council at the end to see what worked and what didn't for the remaining chapters.

CHAPTER 2: LAND USE ELEMENT

Summary of Major Changes:

- Updated housing and job targets.
- PSRC 2050 Data.
- Updated policies state/regional/county requirements related to GMA, HB 1110, HB 1799, and King County Policies.

CHAPTER 2: LAND USE ELEMENT

- Questions?
- Changes needed prior to adoption?

CHAPTER 7: HOUSING ELEMENT

Summary of Major Changes:

- Housing Action Plan.
- Equity Considerations per King County.
- Expanded GMA requirements, including racially disparate impacts, displacement, and exclusion in housing.
- Growth Target Revisions.
- King County Countywide Planning Policy requirements.
- PSRC VISION 2050.
- New policies related to state/regional/county requirements including HB 110, HB 1220, and HB 1337.

CHAPTER 7: HOUSING ELEMENT

- Questions?
- Changes needed prior to adoption?



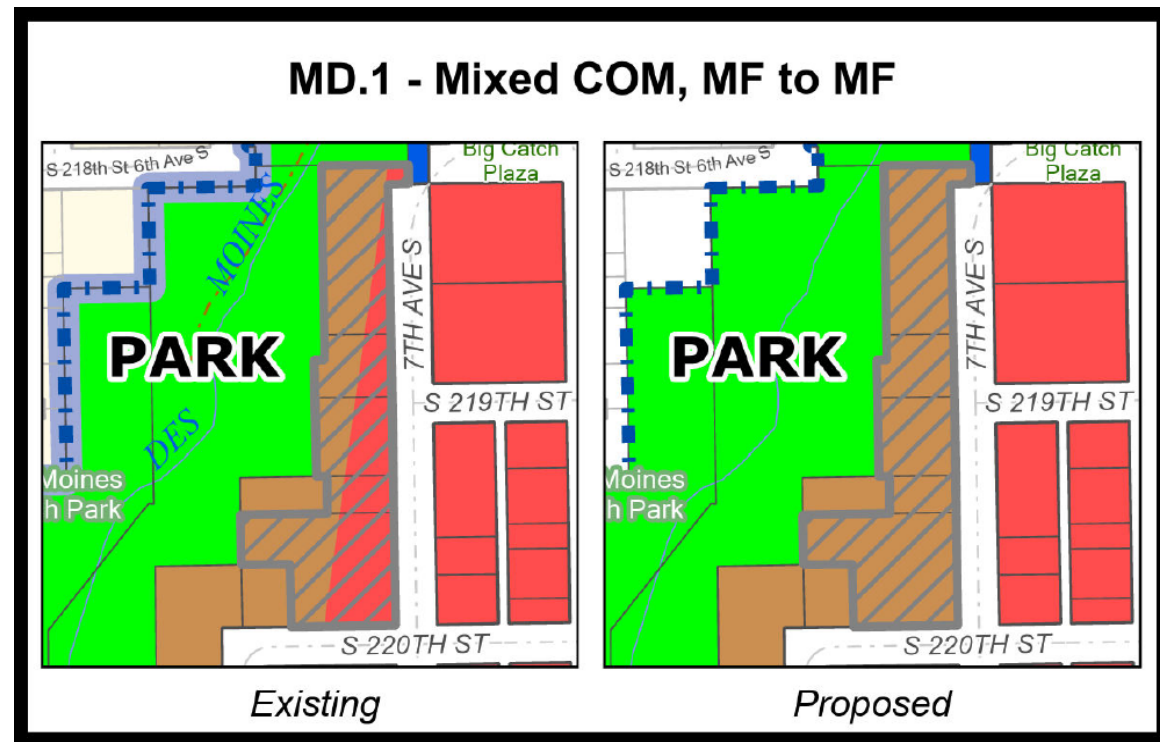
PROPOSED LAND USE MAP CHANGES

Staff reviewed the Zoning Map and the Land Use Map to identify discrepancies between. The proposed changes updates the Land Use Map to conform with the zoning.

PROPOSED LAND USE MAP CHANGES

Label	Comp Plan Land Map Classification	Zoning Designation
MD.I	Portion MF, Portion COM	RM-900 (All)

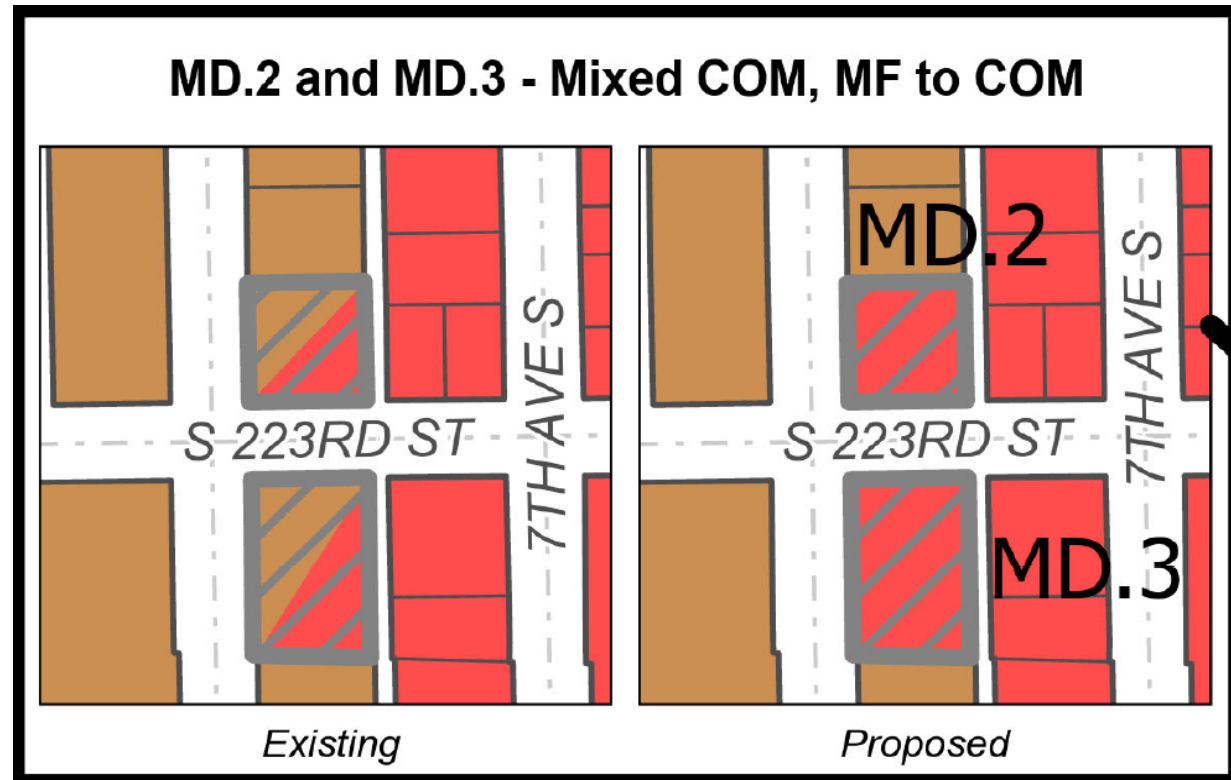
Staff is recommending updating the Comp Plan Land Use Map to MF and removing the overlapping land use designation to conform with the zoning.



PROPOSED LAND USE MAP CHANGES

Label	Comp Plan Land Map Classification	Zoning Designation
MD.2	Portion MF, Portion COM	D-C (All)
MD.3	Portion MF, Portion COM	D-C (All)

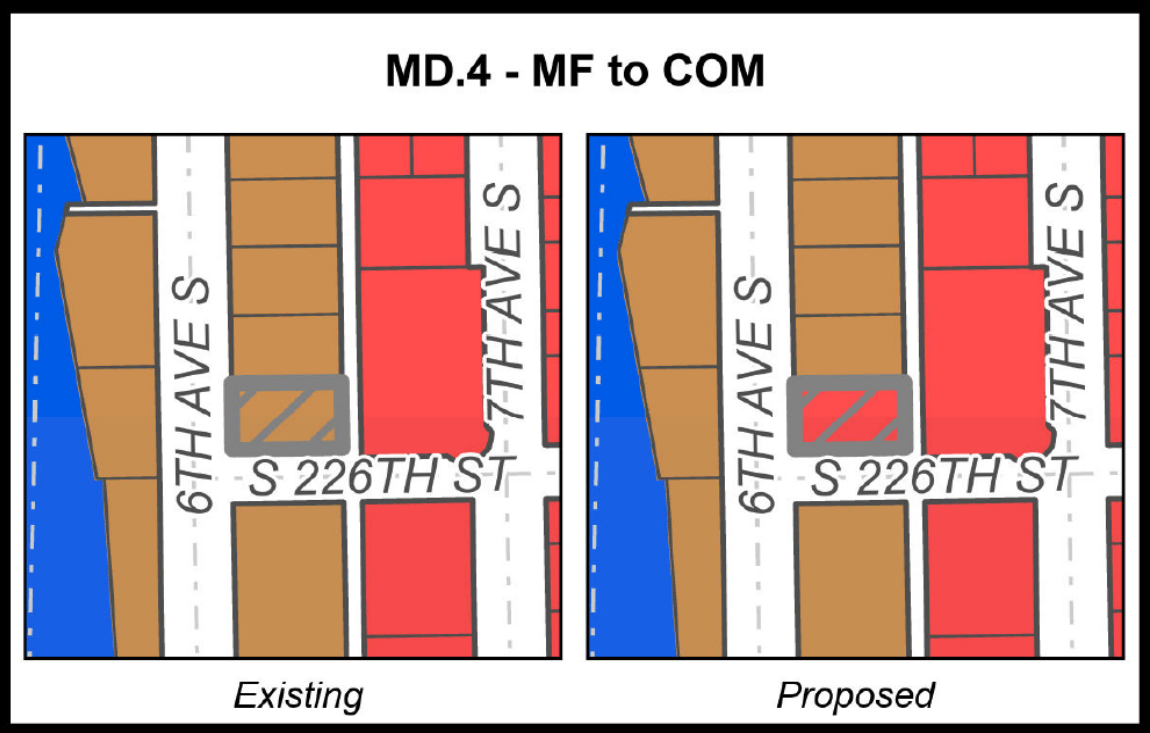
Staff is recommending updating the Comp Plan Land Use Map to COM and removing the overlapping land use designation to conform with the zoning.



PROPOSED LAND USE MAP CHANGES

Label	Comp Plan Land Map Classification	Zoning Designation
MD.4	MF	D-C (All)

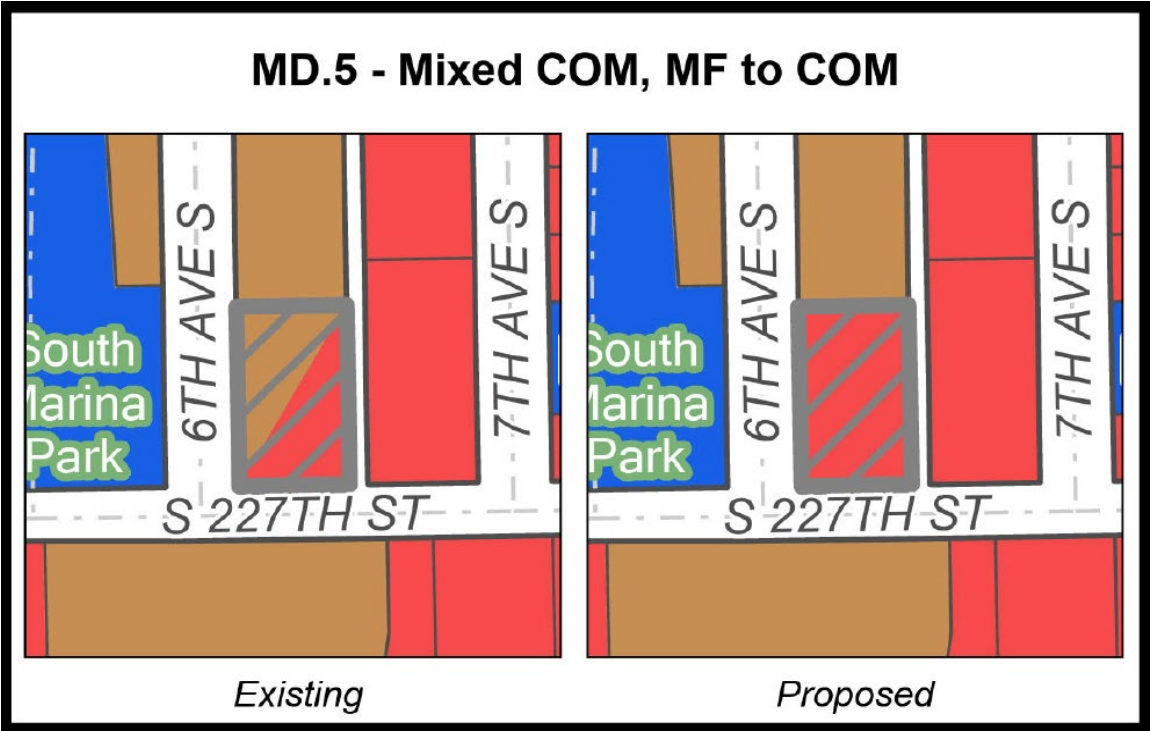
Staff is recommending updating the Comp Plan Land Use Map to COM to conform with the zoning.



PROPOSED LAND USE MAP CHANGES

Label	Comp Plan Land Map Classification	Zoning Designation
MD.5	Portion MF, Portion COM	D-C (All)

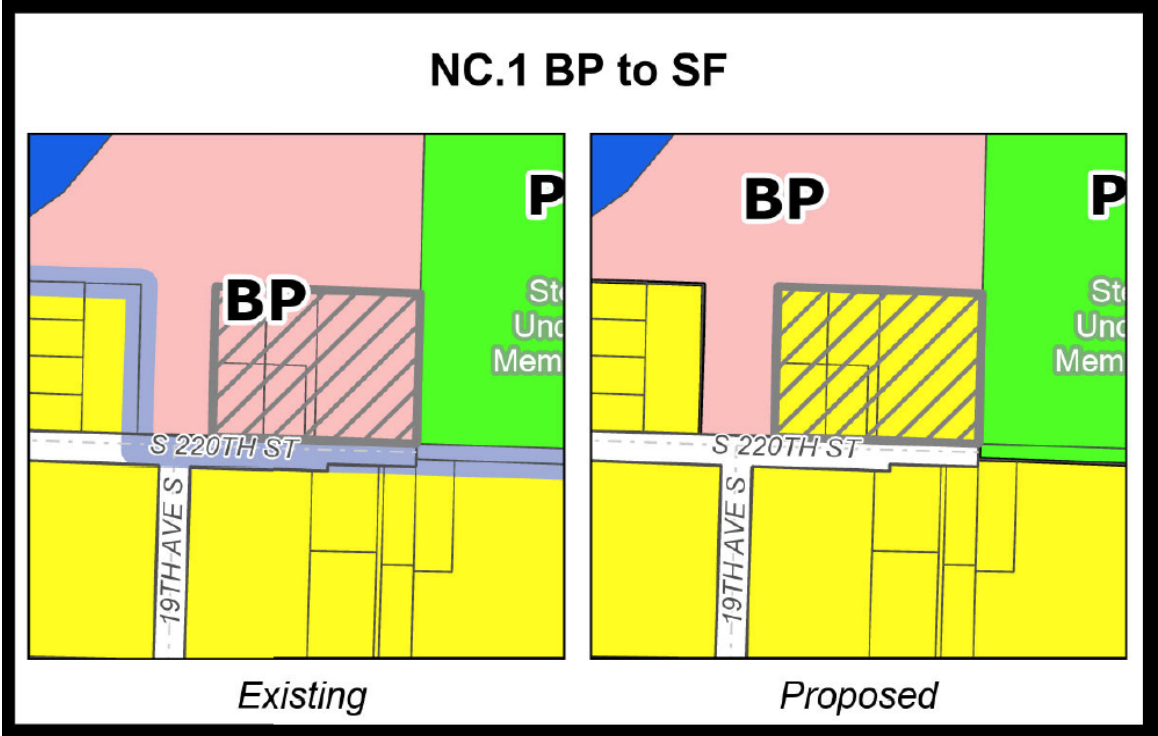
Staff is recommending updating the Comp Plan Land Use Map to COM and removing the overlapping land use designation to conform with the zoning.



PROPOSED LAND USE MAP CHANGES

Label	Comp Plan Land Map Classification	Zoning Designation
NC.1	BP	RS-8400

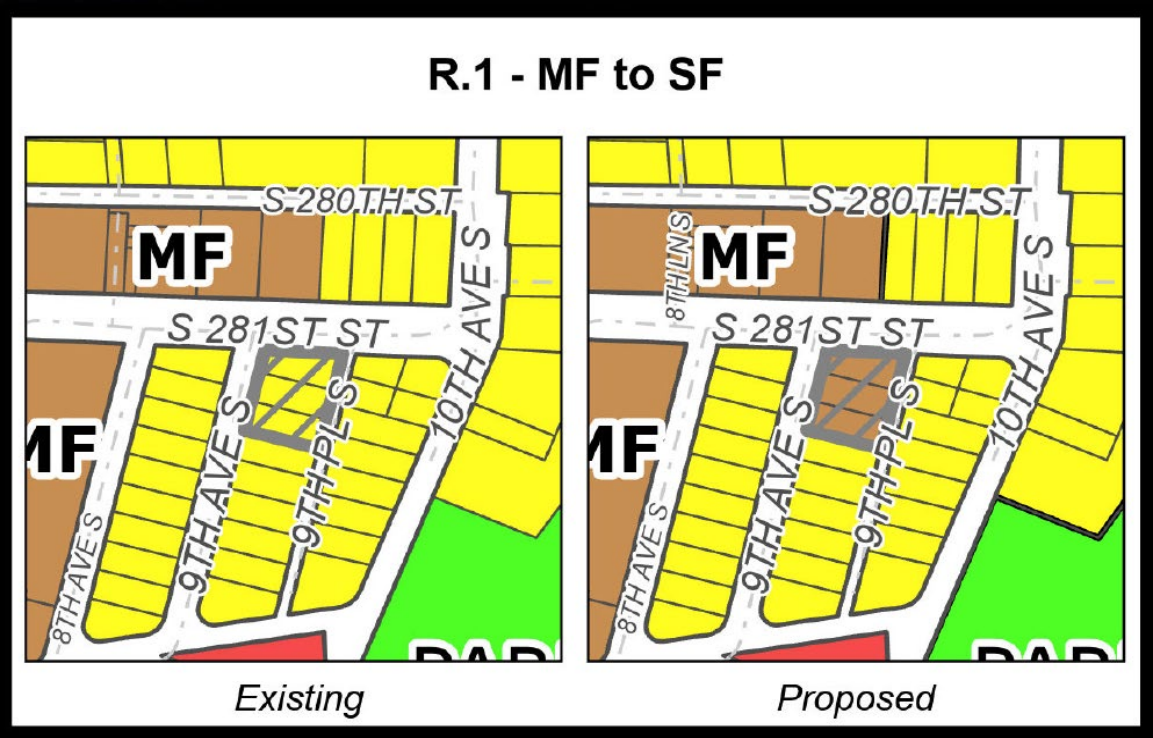
Staff is proposing updating the Comp Plan Land Use Map to SF and conforming to the zoning, based on Ordinance 1771 passed by Council in 2023 looking at the zones in this area.



PROPOSED LAND USE MAP CHANGES

Label	Comp Plan Land Map Classification	Zoning Designation
R.1	SF	RA-3600

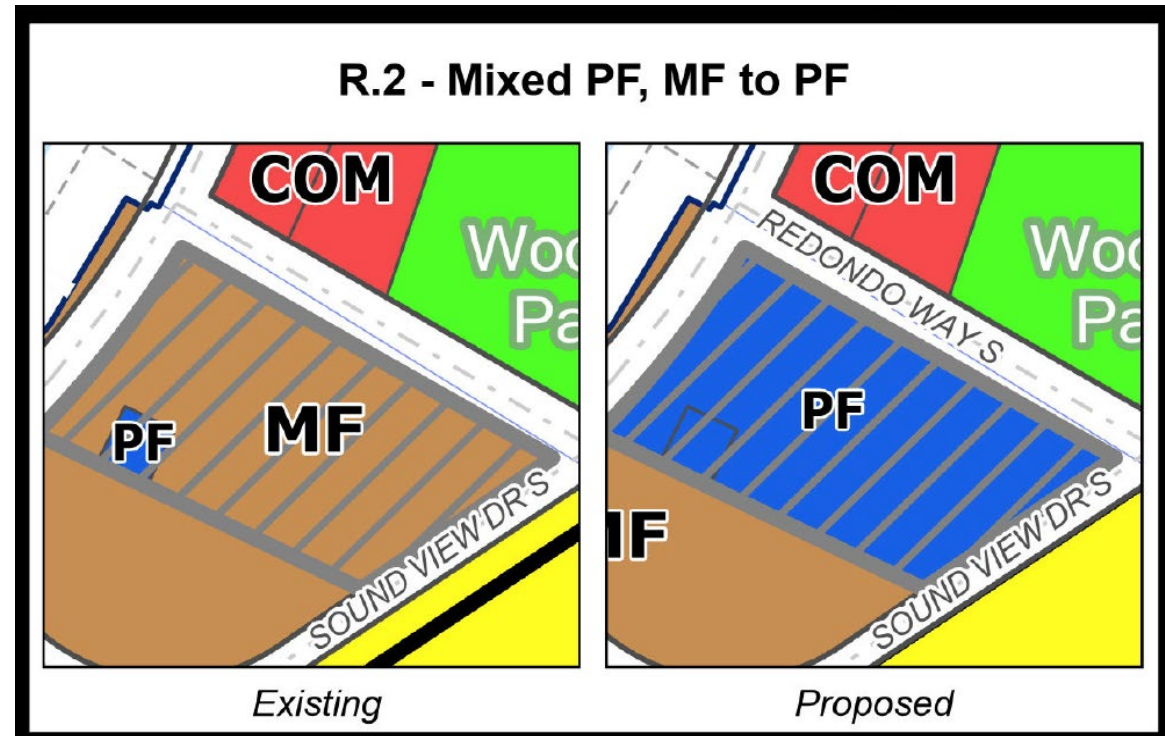
Staff is recommending updating the Comp Plan Land Use Map to MF to conform with the zoning.



PROPOSED LAND USE MAP CHANGES

Label	Comp Plan Land Map Classification	Zoning Designation
R.2	MF	R-SE

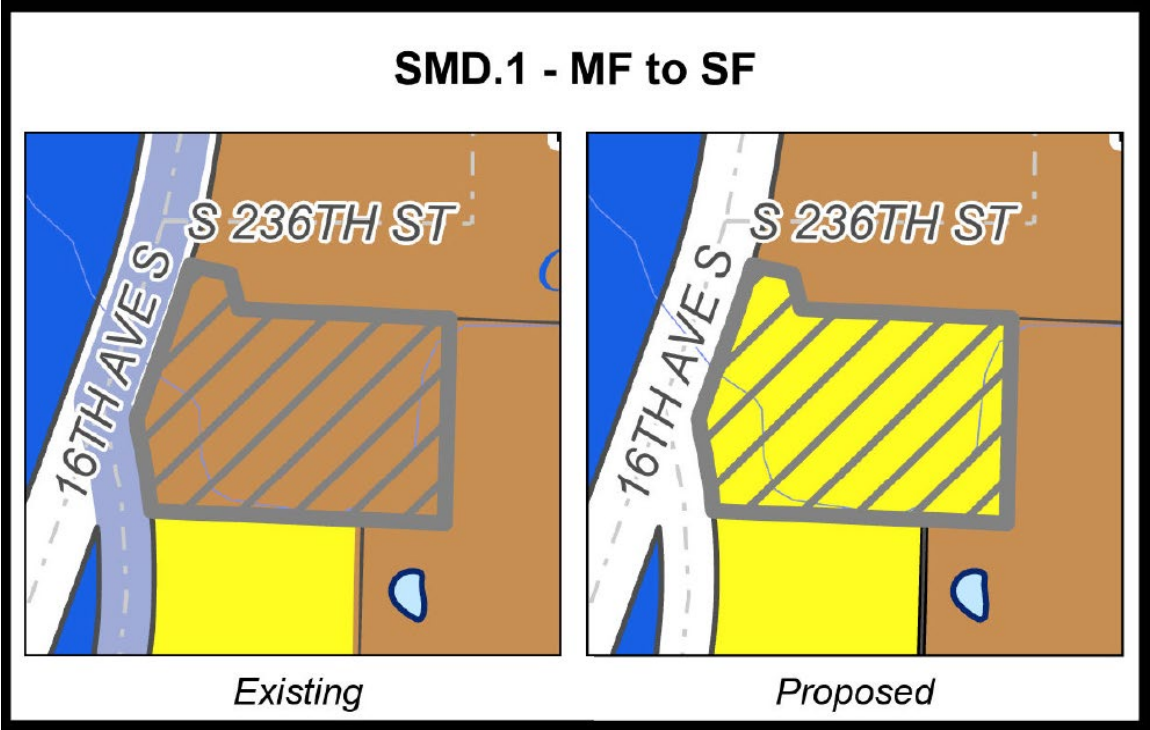
Staff is recommending updating the Comp Plan Land Use Map to PF to conform with use as this parcel is Redondo Waterfront Park with a utility pump station adjacent to the park.



PROPOSED LAND USE MAP CHANGES

Label	Comp Plan Land Map Classification	Zoning Designation
SDM.1	MF	R-SR

Staff is recommending updating the Comp Plan Land Use Map to SF to conform with the zoning.

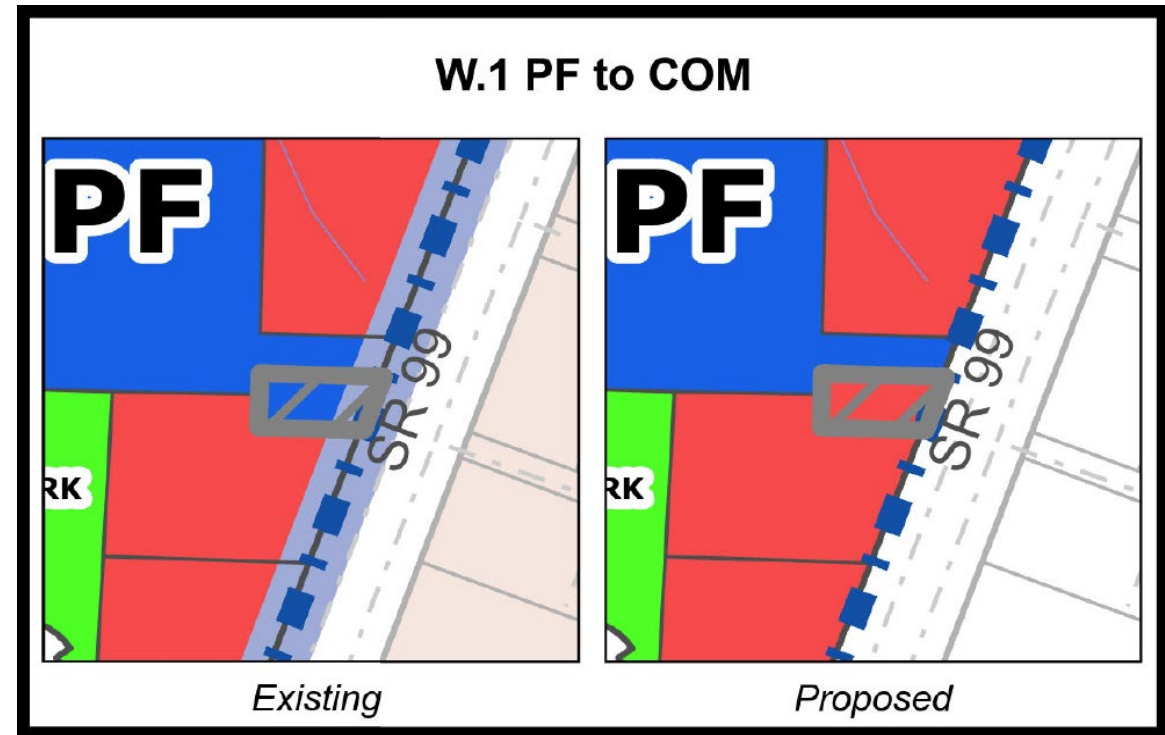


PROPOSED LAND USE MAP CHANGES

Label	Comp Plan Land Map Classification	Zoning Designation
W.1	PF	W-C

Staff is recommending updating the Comp Plan Land Use Map to COM to conform with the zoning.

Parcel 282204-9211 is currently owned by Midway Sewer District. The land is currently vacant.





PROPOSED LAND USE MAP CHANGES

- Questions?
- Changes needed prior to adoption?



REVIEW

- Feedback for Chapters
- Schedule:
 - August: Transportation Element
 - September: Public Hearing

AGENDA ITEM

BUSINESS OF THE CITY COUNCIL City of Des Moines, WA

SUBJECT: City Council Protocol Manual Review

FOR AGENDA OF: June 05, 2025

ATTACHMENTS:

1. City of Des Moines City Council Protocol Manual with updates
2. Councilmember Protocol Update Proposals

DEPT. OF ORIGIN: Administration

DATE SUBMITTED: May 1, 2025

CLEARANCES:

- ☒ City Clerk JK
☐ Community Development
☐ Courts
☐ Finance
☐ Human Resources _____
☒ Legal /s/ TG
☐ Marina
☐ Police
☐ Parks, Recreation & Senior Services
☐ Public Works

APPROVED BY CITY MANAGER

FOR SUBMITTAL: Katherine Coffey

Purpose and Recommendation

The purpose of this agenda item is for the City Council to continue to review the *City of Des Moines City Council Protocol Manual* and discuss potential amendments or revisions. Following direction from the Council, staff will prepare an updated Protocol Manual for Council consideration at a future meeting.

Suggested Motion

Motion:

Background

At the June 23, 2022 City Council meeting, three Councilmembers supported a request to place an update of the City Council Rules of Procedure on a future agenda.

In July of 2022, an Ad Hoc Rules Committee was created by the Council for the purpose of reviewing the City Council's Rules of Procedure and proposing edits. The Committee, consisting of three Councilmembers, met several times and created a first draft document entitled "City Council Protocol Manual." This draft was forwarded to City staff in October of 2022 to begin a staff review.

Over the next several months, City staff conducted an in-depth review of the newly drafted City Council Protocol Manual to include analysis of how the new protocols aligned with existing City Codes and policies, reviews of similarly situated agency rules, legal analysis and a practical implementation review of the potential impacts. As a result of this process, staff brought forward an amended version of the Protocol Manual with updates intended to clarify the rules, eliminate repetition, ensure conformity with existing Codes and RCW's, and to ensure the intent of the Council was met.

The Ad Hoc Rules Committee met publicly several more times in 2023 to create an updated draft. That draft was then sent to Ann Macfarlane of Jurassic Parliament for her review and comments. She provided her edits to the Committee and the Committee held a final meeting in May of 2023 to create a draft ready for the full Council to review.

A first reading with the full Council was held on June 1, 2023. Several amendments were made by the Council and incorporated into the Draft for a second reading. A second reading was held on June 8, 2023 with additional amendments made and incorporated into the draft. A third and final reading was held on June 23, 2023 and the Council formally adopted the *City of Des Moines City Council Protocol Manual*.

Discussion

Pursuant to Section 9.01 of the Protocol Manual, "the City Council will review and revise the City Council Protocol Manual every two years, or as needed." Given that the final adoption of the Manual occurred in June of 2023, we are approaching the two year timeline for Council review and revisions.

At the April 3, 2025 study session, Councilmembers came prepared with items or language from the existing Protocol Manual that they would like to discuss revising. During the Study Session, the Council began their review of the list. Given the number of items subject to review, this item will continue to be placed on future agendas for Council consideration until a final draft is created.

Alternatives

Staff will prepare amendments to the Manual that are agreed upon by a majority of the Council for future Council consideration and inclusion in the Manual.

Financial Impact

None.

**CITY OF
DES MOINES
CITY COUNCIL PROTOCOL MANUAL**

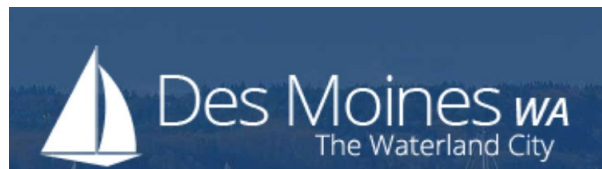


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- 12.01 Association of Washington Cities [(800) 562-8981]35
- 12.02 National League of Cities [(202) 626-3000].....35
- 12.03 International City/County Management Association [(202) 289-4262]35
- 12.04 Government Finance Officers Association [(312) 977-9700]35
- 12.05 Municipal Research & Services Center of Washington [(206) 625-1300]35

**CITY OF
DES MOINES
OATH OF OFFICE**

STATE OF WASHINGTON)
) SS.
COUNTY OF KING)

I do solemnly swear that I will faithfully and impartially discharge the duties of this office as prescribed by law and to the best of my ability, and that I will support and maintain the Constitution of the State of Washington and the United States of America.

Signed _____

Term of Office:
Month day, year - Month day, year

Subscribed and sworn to before me this

_____ day of _____, _____.

(Name)

Attest:

(Name)
City Clerk

Foreword

In the course of serving as a public official, there are a myriad of issues with which you will become involved. This protocol manual attempts to centralize information on common issues related to local government and your role as a member of the Des Moines City Council.

The issues that are addressed in this publication are often complex and subjective. This manual is intended to be a guide and is not a substitute for the counsel, guidance, or opinion of the City Attorney in accordance with the Revised Code of Washington (RCW).

The protocols included in this reference document have been formally adopted by the City Council. Provisions contained herein will be reviewed as needed.

Mission

Des Moines is a waterfront community committed to maintaining a safe, sustainable environment, while ensuring a high quality of life for all to live, work and play.

Vision

To be the premier waterfront destination in the Pacific Northwest.

Values

Core Values of the City of Des Moines are:

Safety

Sustainability

Integrity

Transparency

Innovation

CHAPTER 1 INTRODUCTION AND OVERVIEW

As a City Councilmember, you not only establish important and often critical policies for the community, you are also a Board Member of a public corporation having an annual budget that may exceed one hundred million dollars.

1.01 Council-Manager Form of Government

The City of Des Moines is a Council-Manager form of government. As described in the Municipal Code and Revised Code of Washington, certain responsibilities are vested in the City Council and the City Manager. This form of government establishes that a City Council's role, in this specific form of government is that of a legislative policy-making body which determines not only the local laws that regulate community life, but also determines what public policy is, and gives direction to the City Manager to administer the affairs of the City government.

1.02 Purpose of City Council Protocol Manual

The City of Des Moines has prepared its own protocol manual to assist the City Council by documenting accepted practices and clarifying expectations. This Manual has been formally adopted by the City Council and is binding on all Councilmembers.

1.03 Association of Washington Cities and Municipal Research & Services Center of Washington

[The Code City Handbook, Report No. 37](#), published by the Municipal Research & Services Center (MRSC), provides a wealth of general information on the major functions of a Councilmember's job as a locally elected official. Another publication from MRSC that goes hand in hand with the handbook is, [Knowing the Territory](#). This report discusses basic powers; basic duties, liabilities, and immunities of officers; conflict of interest and appearance of fairness; prohibited uses of public funds, property, or credit; competitive bidding requirements; the Open Public Meetings Act; Open Government-Public Records-Freedom of Information; and immunities from tort liability. These two documents have been included as resources in creating this protocol manual.

1.04 Overview of Basic City Documents

This protocol manual provides a summary of important aspects of City Council activities. However, it cannot incorporate all material and information necessary for undertaking the business of the City Council. Many other laws, plans, and documents exist which bind the City Council to certain courses of action and practices. The following is a summary of some of the most notable documents that establish City Council direction.

A. [Revised Code of Washington](#)

The state laws contain many requirements for the operation of city government and administration of meetings of city councils throughout the state. Des Moines is an "optional code city," which means it operates under the general laws of the state. As an optional code city of the State of Washington, Des Moines is vested with all the powers of incorporated cities as set forth in the Revised Code of Washington (RCW), Constitution of the State of Washington, and Des Moines Municipal Code.

B. [Des Moines Municipal Code](#)

The municipal code contains local laws and regulations adopted by ordinances. Titles 2 and 4 of the code address the role of the City Council, describes the organization of City Council meetings and responsibilities and appointment of certain City staff positions and advisory boards and commissions. In addition to these administrative matters, the municipal code contains a variety of laws including, but not limited to, zoning standards, health and safety issues, traffic regulations, building standards, and revenue and finance issues.

C. [Vision/Mission Statement](#)

[Vision, Mission & Business Plan - City of Des Moines, WA \(desmoineswa.gov\)](#)

D. [City Budget](#)

The budget is the primary tool and road map for accomplishing the goals of the City. The budget document is the result of one of the most important processes the City undertakes. By adopting the annual budget, the City Council makes policy decisions, sets priorities, allocates resources, and provides the framework for government operations.

Please note: The City Manager is required, by state statute, to present a recommended budget to the City Council in October of the preceding year of the budget. The City Council must hold at least two public hearings on the budget before they can approve the budget with any adopted changes.

E. [Annual Comprehensive Financial Report \(ACFR\)](#)

The annual financial report includes the financial statements of the City for a calendar year. It includes the financial condition of the City as reflected in the balance sheet, the results of operations as reflected in income statements, an analysis of the uses of City funds, and related footnotes. The annual financial report includes statements for the various groups of funds and a consolidated group of statements for the City as a whole.

F. [Comprehensive Plan](#)

A state-mandated comprehensive plan addresses the City's long-range planning needs relative to land use, transportation, economic development, and other planning elements such as employment and residential growth targets. The City's comprehensive plan, *Imagine Des Moines...* is reviewed on an ongoing basis, but may only be revised once a year, except as provided by State law.

G. [Six-year Capital Improvement Program](#)

The Six year Capital Improvement Program serves as a guide for determining priorities, planning, financing, and constructing capital projects which add to, support, or improve the physical infrastructure, capital assets, or productive capacity of city services.

1.05 Orientation of New Members

It is important for the members of the City Council to gain an understanding of the full range of services and programs provided by the City. As new members join the City Council, the City Manager and City Clerk provide an orientation session for new members to meet with key staff within the first quarter of taking office.

Another training opportunity for new members is the Association of Washington Cities-sponsored newly elected officials' orientation. At any time, if there are facilities or programs about which you would like more information, arrangements will be made to increase your awareness of these operations.

1.06 Medical and Religious Exemptions

The City complies with all requirements of the Americans with Disabilities Act (ADA). Accordingly, exceptions to these Protocols may be granted in accordance with the ADA. A Councilmember who believes he or she needs a reasonable accommodation in order to perform the essential functions of his or her (role as a Councilmember) must submit a request for a reasonable accommodation to the City's Human Resources Department. This request will be processed in accordance with the City Personnel Manual.

A Councilmember, who holds a "sincerely held religious belief, practice or observance" that conflicts with the Protocol requirements, may request a reasonable accommodation. Upon notice of the request, the City will process in the same manner as a reasonable accommodation request as defined by the ADA.

CHAPTER 2

DES MOINES CITY COUNCIL: GENERAL POWERS AND RESPONSIBILITIES

2.01 City Council Generally

Fundamentally, the powers of the City Council are to be utilized for the good of the community and its residents; to provide for the health, safety and general welfare of the citizenry. The City Council is the policy-making and law-making body of the City. State law and local ordinances grant the powers and responsibilities of the Council.

In carrying out their public role and in representing the positions of the Council body, Councilmembers should respect adopted Council policy. In turn, it is staff's responsibility to ensure that the policy of the Council is appropriately executed.

- A. Council Non-Participation in Administration
[RCW 35A.13.120](#) specifically prohibits interference by Councilmembers in the City's administrative service, including the hiring, firing, and work of city staff, with the exception of the City Manager.
- B. Code of Conduct/Ethics Code DMMC 2.44
[Chapter 2.44 CODE OF ETHICS \(codepublishing.com\)](#)

2.02 Role of Councilmembers

Members of the Des Moines City Council are collectively responsible for establishing policy, adopting an annual budget, and providing vision and goals to the City Manager. The following outline is a brief description of the various duties of Councilmembers. The description is not intended to be comprehensive, but rather is an effort to summarize the primary responsibilities of the Council.

Summary of Council Duties and Responsibilities as provided in, but not limited to, the Washington Administrative Code and Revised Code of Washington:

- A. Establish Policy:
 - 1. Adopt goals and objectives
 - 2. Establish priorities for public services
 - 3. Approve/amend the operating and capital budgets
 - 4. Approve contracts over \$50k
 - 5. Adopt resolutions
- B. Adopt City Ordinances
- C. Appoint City Manager:
 - 1. Evaluate performance of City Manager
- D. Boards and Commissions:
 - 1. Establish advisory boards and commissions
 - 2. Approve appointments to advisory bodies
 - 3. Provide direction to advisory bodies
- E. Provide Public Leadership:
 - 1. Communicate the City's vision and goals to constituents
 - 2. Represent the City's interest at regional, county, state, and federal levels through participation in regional boards and commissions, as appointed by Mayor or Council.
 - 3. Call special elections as necessary
 - 4. Constituent communication to City Manager

- F. Decision-Making:
 - 1. Participate in assigned committees
 - 2. Study problems
 - 3. Review alternatives
 - 4. Determine best course of public policy

2.03 Role of Mayor

- A. Presiding Officer:

The Mayor serves as the presiding officer and acts as chair at all meetings of the City Council. The Mayor may participate in all deliberations of the Council in the same manner as any other members and is expected to vote in all proceedings, unless a conflict of interest exists. The Mayor does not possess any power of veto.
- B. Ceremonial Representative:

Responsibility to act as the City Council's ceremonial representative at public events and functions has been assigned to the Mayor. The Mayor shall have no regular administrative or executive duties.
- C. Proclamations:

The Mayor is vested with the authority to initiate and read and sign Council approved proclamations.
- D. See also Section 5.04:
[Chapter 5.04 GENERAL PROVISIONS](#)

2.04 Role of Deputy Mayor

In case of the Mayor's absence or temporary disability, the Deputy Mayor shall act as Mayor during the continuance of the absence. When the Deputy Mayor acts as Mayor by participating in preparation of a council meeting agenda or study session worksheet, or by presiding at a meeting of the Council, the Deputy Mayor shall have authority only to approve the Council meeting agenda or study session worksheet as to form, without introducing or deleting items of business, and to preside at the meeting by following the approved agenda or study session worksheet as written.

2.05 Acting Mayor

When both the Mayor and Deputy Mayor are absent, the Council may choose from among its members a person to serve with the powers of the Deputy Mayor.

2.06 Election of Officers

Procedures for electing officers are as follows:

- A. Biennial Election of Mayor and Deputy Mayor

Biennially, at the first meeting of the new Council, Councilmembers will choose a presiding officer from their number who will have the title of Mayor. In addition to the powers conferred upon them as Mayor, they will continue to have all the rights, privileges and immunities of a member of the Council. If a permanent vacancy occurs in the Office of Mayor, the members of the Council at their next regular meeting will select a Mayor from their number for the unexpired term. Following the election of the Mayor, if the Deputy Mayor is selected as the new Mayor, there will be an election for Deputy Mayor. The term of the Deputy Mayor will run concurrently with that of the Mayor.

 - 1. Nominations

The election for Mayor shall be conducted by the City Clerk. The City Clerk shall call for nominations. Each member of the City Council shall be permitted to nominate one (1) person who has previously served on the Council for a minimum of two years, and nominations shall not require a second. A nominee who wishes to decline the nomination shall so state at this time. Nominations

are then closed. The election for Deputy Mayor shall be conducted by the newly-elected Mayor, and nominations shall be made in the manner previously described for the election of the Mayor. Candidates for Deputy Mayor shall have previously served on the Council for a minimum of one year. The minimum experience condition for candidacy for Mayor or Deputy Mayor may be waived by a vote of five Councilmembers.

B. Casting Ballots

Except when there is only one nominee, election will be by audible vote; each Councilmember declaring a vote into the record. The City Clerk will publicly announce and record the results of the election in the official minutes, stating the name of each voting Councilmember and the manner in which the Councilmember voted. Once a nominee receives a majority vote of the members present, the nominee is declared elected to the position.

C. Unable to Agree

In the event that the Council is unable to agree on a Mayor by majority vote of the members present, the Office of Mayor shall be temporarily filled by an Acting Mayor. The Acting Mayor shall be the Councilmember who just previously served as Mayor; or if such person is not a member of the Council, the Councilmember who just previously served as Deputy Mayor; or if such person is not a member of the Council, the Councilmember with the highest seniority as determined by the City Attorney.

In the event that the Council is unable to agree on a Deputy Mayor, the appointment of Deputy Mayor shall be filled in the same manner as described above.

The Acting Mayor and Acting Deputy Mayor shall continue in office and exercise such authority as is described in Chapter [35A.13 RCW](#) until the members of the Council agree on a Mayor, at which time the Office of Acting Mayor and Acting Deputy Mayor shall cease and terminate.

D. Resignation of Mayor or Deputy Mayor

If the Mayor or Deputy Mayor resign, the City Council will appoint a new Mayor or Deputy Mayor using the procedure outlined above, as soon as practical.

2.07 Appointment of City Manager

The City Council is responsible for appointing one position within the City organization, the City Manager. The City Manager serves at the pleasure of the Council.

2.08 Council Board and Committee Service

A. Committees of the Council:

Committees of the Council are comprised of a collaboration of Councilmembers and Staff, and are designed to review, discuss, and vet potential plans and decisions that may come before the Council body. These committees may make recommendations on proposed ordinances, resolutions, or motions within their area of expertise.

The procedures governing all committees of the Council shall be as follows:

1. The following standing committees shall consist of three members of the Council appointed by the Mayor in January following an election, or at such time as new standing committees are authorized; Environment, Municipal Facilities, Public Safety and Emergency Management, Transportation, and Economic Development.
2. In addition to standing advisory committees, special purpose or Ad Hoc committees and task forces may be appointed by the Mayor to address issues of interest or to conduct background work on technical or politically sensitive issues. Special or ad-hoc committees will be dissolved upon completion of the intended task.
3. Minutes shall be kept of each City Council standing and special committee meeting, listing discussion topics, a summary of key points made, without attribution to individuals and any final

recommendations.

4. Standing committees of the Council are open public meetings, shall be noticed to the public, and be recorded and available to the public for viewing.
5. During the appropriate portion of the regular City Council meeting, the Committee Chair shall report back to the Council regarding items of discussion, progress, or plans.
6. Councilmembers may be appointed or removed by the Mayor.

Councilmembers shall not serve on appointed City Advisory Bodies concurrent with their term of office as Councilmember.

However, at the discretion of the Mayor, Councilmembers may be appointed as liaison to one or more Council-established Citizen Advisory Bodies or other Community agencies/organizations. In their capacity as a Council liaison, a Councilmember shall:

1. Attend meetings on time and conduct themselves with respect, honoring the chair and members of the appointed or community body.
2. Participate only as requested by the Chair in answering questions or representing the will or opinion of the Council as a whole, and shall not interact as a member of the body by engaging with questions, discussion, or voting.
3. Report back to Staff and/or Council as appropriate with updates, progress and/or questions posed by community members. This should be done in a timely manner and may be done from the dais during Board and Committee Reports as appropriate.

B. Regional Boards and Committees:

Members of the City Council are often requested to serve on outside boards, councils, commissions, or committees. This type of representation serves to facilitate communication and provide interaction with other governmental bodies.

1. Membership appointment to these groups shall be made, or authorized by the Mayor for a 2-year period. If more than one Councilmember desires to serve as a member of a particular outside group, the member will be appointed by the Mayor.
2. Where applicable, the Mayor will appoint an alternate to attend outside boards, councils, commissions, or committees. The main delegate will notify the alternate as soon as possible after they realize they will be unable to attend an upcoming meeting of the outside group.
3. Councilmembers participating in policy discussions at regional meetings will represent the consensus of the Council, except where regional appointment requires regional opinion. Personal positions, when given, will be identified and not represented as the position of the City.
4. Assignment and direction of staff in relation to regional meetings are at the discretion of the City Manager.

2.09 Citizen Advisory Bodies

The Council policy regarding Citizen Advisory Bodies is found in DMMC Title 4:
[Title 4 COUNCILS AND APPOINTIVE COMMITTEES \(codepublishing.com\)](#)

2.10 Incompatibility of Offices

Councilmembers shall not simultaneously hold any other elected position, an incompatible public office or employment within the City government except as permitted under the provisions of [RCW 42.23](#), [35A.12](#) and [35A.13](#).

CHAPTER 3 SUPPORT PROVIDED TO CITY COUNCIL

3.01 Staff

The use of City staff to provide support for a Councilmember is limited to that which is authorized by the City Manager.

Councilmembers are responsible to keep their own calendars and make their own appointments.

3.02 Electronic Devices

A computer and phone will be provided to each Councilmember for the conducting of City business. The IT staff will ensure that all appropriate software is installed and will also provide an orientation in the use of computers and related software. While staff will maintain those computer applications related to City affairs, staff cannot provide assistance for personal computer applications. Personal media and programs cannot be stored on City computers. Councilmembers must adhere to all policies under the City of Des Moines IT Security Policies.

Throughout Councilmember terms, City equipment is subject to audit. Virus protection software must not be disabled at any time on City equipment and non-city programs or media found during audits will be removed. When individual Councilmembers have completed their term of office, IT staff will retrieve City computers, software, and phones.

3.03 Mail and Deliveries

Members of the City Council receive mail and other materials that are delivered through the use of mailboxes located at City Hall. Councilmembers are encouraged to check mailboxes often.

CHAPTER 4 FINANCIAL MATTERS

4.01 Council Compensation

The municipal code provides for payment of a stipend to members of the City Council. A seated City Council may not increase or decrease its own compensation. Councils may only pass an ordinance to adjust the compensation of a future City Council. Currently, Council salaries are set as provided in chapter 4.08 DMMC or [RCW 35.21.015](#).

4.02 Business, Education and Travel

When determined by the City Council to be in the best interests of the City, Councilmembers may attend conferences and workshops, take part in educational or leadership opportunities, and conduct City business which may require travel, tuition, fees, or registration costs. Councilmembers may be reimbursed for these expenses under the following guidelines:

- A. The Administration will keep account of Councilmember expenses.
- B. When the Councilmember makes arrangements or incurs eligible expenses as determined by the Council, the Councilmember shall provide receipts for reimbursement.

4.03 Financial Disclosure

Candidates for the office of Councilmember shall file a financial disclosure statement with the State Public Disclosure Commission in accordance with State law. When appointed to fill a vacancy on the Council, the appointee shall file a financial disclosure statement with the Commission, covering the preceding 12-month period, at least two weeks prior to appointment. Councilmembers are required to file a financial disclosure

statement with the Commission on an annual basis after January 1 and before April 15 of each year covering the previous calendar year. Councilmembers whose terms expire on December 31 shall file the statement for the year that ended on that December 31. Statements filed in any of the above cases will be available for public inspection.

Failure to timely file a financial disclosure statement with the State Public Disclosure Commission in accordance with the requirements of State law, or filing a false or incomplete financial disclosure statement, if done knowingly, is a Class 1 Misdemeanor. There are also civil penalties for violations.

CHAPTER 5 COMMUNICATIONS

5.01 Overview

Perhaps the most fundamental role of a Councilmember is communication. This is essential to engage with the public to assess community opinions and needs, and to share the vision and goals of the City with constituents. In addition, connection with the staff provides policy direction and assists in understanding the implications of various policy alternatives.

Because the City Council performs as a body, based on the will of the majority as opposed to individuals, it is important that general guidelines be understood when speaking for the Council. Equally important, when members are expressing personal views and not those of the Council, the public must be advised.

5.02 Councilmember Contact and Information

A page on the City of Des Moines website will display information about each councilmember for community reference, which will include:

- A. A color photo
- B. A short biography/resume
- C. List of assignments or designations
- D. Phone number and email

5.03 Correspondence from Councilmembers

Councilmembers are committed to open communications in their capacity as elected officials. Individual Councilmembers use a variety of methods to communicate with the public, stakeholders, partners, and the media. Social media platforms offer a way to deliver public information and customer service to constituents and give community members another means to interact with their government.

The purpose of this policy is to establish standards for Council communication with the public, when Councilmembers are acting in their official capacity or commenting on City government matters, either through traditional media outlets or the use of social media platforms or personal accounts or pages.

The Council believes that the following standards will provide consistency in procedures and allow for use of more tools to communicate with the public.

- A. The content and tenor of all public communications shall model the same professional behavior displayed during Council meetings and community meetings, and reflect well on the individual Councilmember, the Council as a whole, and the community.

- B. The following disclaimers shall be included in whole or referenced with a link to the disclaimers for all communications initiated by Councilmembers in open forums:
1. The views expressed represent the views of the author and may not reflect the views of the City of Des Moines or the Des Moines City Council.
 2. Responses to this communication by other Councilmembers may be limited by the provisions of the Open Public Meetings Act under which a policy discussion or other action taken must be held in an open public meeting if a quorum of the Council participates.
 3. Comments posted in response to a Councilmember-initiated communication may be subject to public disclosure under chapter [42.56 RCW](#), the Public Records Act.
- C. Media outlets such as newspapers, radio and television news coverage may be used as communications medium by individual Councilmembers provided that the communication clearly states that the views expressed do not represent those of the City Council or the City of Des Moines, but the views of the individual Councilmember.
- D. Communications initiated by Councilmembers. Guest editorials, letters to the editor and blog posts published by Councilmembers should be provided to the full Council at the same time they are delivered to the media outlet. Drafts of guest editorials, letters to the editor or blog posts which may be submitted on behalf of the Council as opposed to an individual Councilmember may not be circulated for comment to a quorum of the Council prior to publication as this may violate the Open Public Meetings Act.
- E. Use of Social Media. Posts to social media sites such as, blogs, Facebook, and Twitter may be used by individual Councilmembers to communicate with the public provided the following guidelines are used:
1. Blog posts or other posts to social media sites should include, or reference a link which includes the disclaimers listed in Section 5.03.B.
 2. Social media sites are not to be used for the conduct of Council business other than to informally communicate with the public. Public notices, items of legal or fiscal significance that have not been released to the public, and discussion of quasi-judicial matters may not be included in Councilmembers social media posts. Councilmembers are encouraged to maintain social media sites with settings that can restrict users' ability to comment in order to avoid inadvertent discussions of these items. Unsolicited public comments on quasi-judicial matters must be placed on the record by the Councilmember at the time the matter is before the Council for consideration.
 3. In order to demonstrate openness and a willingness to listen to the entire community, Councilmember posts on social media sites should be made through a public-facing page or by marking individual posts as available to the public as a whole.
 4. When commenting on a post or an article published by someone other than a Councilmember, a link to the standard disclaimers in Section 5.03.B should be included within the thread.
- F. If a Councilmember makes a factual error in a public communication, it should be corrected as soon as the error is discovered. Blog posts may be corrected by amending a previous post with a note that a correction was made.
- G. Councilmembers shall not take actions, in writing, speaking, or otherwise, outside the public meeting(s) that undermine the decisions of the body.

5.04 Council Representation

To promote a favorable image of the City and pursue resources or relationships that will benefit the community, the Mayor, or another Councilmember designated by the Council, may take the lead in representing the City of Des Moines to other partners and representatives including, but not limited to; businesses, other local governments, regional agencies and organizations, and state, federal and international governments.

- A. Councilmembers shall not conduct communication or business in this manner without the authorization of the Administration or the City Council.
- B. Neither the Mayor, nor a Councilmember, can commit the City without authorization of a majority of the City Council.
- C. The Mayor, or another Councilmember designated by the City Council, shall be the spokesperson about actions taken by the Council. On behalf of the City Council, the Mayor or designated Councilmember may inform the public, media, and staff about issues affecting the community.

5.05 State Public Disclosure Act

The City Council is bound by State Public Records Act and City records policies. Please refer to Resolution No. 1185 [142.pdf \(civiclive.com\)](#)

5.06 Open Public Meetings Act

The City Council is bound the State Open Public Meetings Act. More information can be found at [Open Government Training | Washington State](#)

5.07 Communication with the public

- A. If a Councilmember receives communication from a member of the community conveying a concern, complaint, or administrative issue, the Councilmember shall not attempt to address it or resolve it individually but will refer that matter directly to the City Manager for their review and/or action. The individual Councilmember may request to be informed of the action or response made to the complaint.
- B. Written Communications:
Letters, correspondence, and memoranda received by the City, addressed to a Councilmember or the Council as a body, shall be provided to all City Councilmembers.
- C. E-mail:
 - 1. If a community member sends an e-mail to a Councilmember and requests that it be included in the record of a particular public hearing, the Councilmember will forward said e-mail to the City Clerk.
 - 2. If a Councilmember wishes that an e-mail be distributed to a City staff member, the Councilmember will forward said e-mail to the City Manager.
 - 3. E-mail communications that are intended to be shared among four or more Councilmembers, whether concurrently or serially must be considered in light of the Open Public Meetings Act. If the intended purpose of the e-mail is to have a discussion that should be held at an open meeting, the electronic discussion may not occur. Further, the use of e-mail communication to form a collective decision of the Council is illegal.
 - 4. E-mail should be used cautiously when seeking legal advice or if discussing matters of pending litigation or other "confidential" City business. In general, e-mail is discoverable in litigation, even deleted e-mail is not necessarily removed from the system, and councilmembers may not delete official email in violation of the Open Public meetings Act. Confidential e-mail communications should not be shared with individuals other than the intended recipients, or the attorney-client privilege protecting the document from disclosure may be waived:
 - a. E-mail between Councilmembers, and Councilmembers and staff shall not be transmitted to the public or news media unless a public disclosure request has first been filed with the City Clerk.
 - b. City email shall not be used for personal communication.

CHAPTER 6

CONFLICTS OF INTEREST, APPEARANCE OF FAIRNESS DOCTRINE, AND LIABILITY OF ELECTED OFFICIALS

6.01 Conflicts of Interest

In the course of conducting City business, it is essential that Councilmembers understand and are able to identify if and where they may have conflicts of interest. If there is ever a question, Councilmembers should consult with the City Attorney before the meeting at which the issue may be considered.

City Councilmembers are bound by the Conflict of Interest provisions of chapter [2.44 DMMC](#) as well as chapter [42.23 RCW](#).

6.02 Appearance of Fairness Doctrine

Appearance of Fairness Doctrine and its Application.

- A. Appearance of Fairness Doctrine Defined. "When the law which calls for public hearings gives the public not only the right to attend but the right to be heard as well, the hearings must not only be fair but must *appear* to be so. It is a situation where appearances are quite as important as substance. The test of whether the appearance of fairness doctrine has been violated is as follows: Would a disinterested person, having been apprised of the totality of a Boardmember's personal interest in a matter being acted upon, be reasonably justified in thinking that partiality may exist? If answered in the affirmative, such deliberations, and any course of conduct reached thereon, should be voided." [Zehring v. Bellevue, 99 Wn.2d 488 \(1983\)](#).
- B. Types of Hearings to Which Doctrine Applies. The appearance of Fairness Doctrine shall apply only to those actions of the Council, which are quasi-judicial in nature. Quasi-judicial actions are defined as actions of the City Council, which determine the legal rights, duties, or privileges of specific parties in a hearing or other contested proceeding. Quasi-judicial actions do not include the legislative actions adopting, amending, or revising comprehensive, community, or neighborhood plans or other land use planning documents of the adoption of area-wide zoning ordinances or the adoption of a zoning amendment that is of area-wide significance. [RCW 42.36.010](#). Some examples of quasi-judicial actions, which may come before the Council are: rezones or reclassifications of specific parcels of property, appeals from decisions of the Hearing Examiner, substantive appeals of threshold decisions under the State Environmental Protection Act, subdivisions, street vacations, and special land use permits. City staff is advised to notify the City Council upon receipt of an application or decision, which will result in an action before the City Council that is quasi-judicial in nature.
- C. Obligations of Councilmembers, Procedure.
 1. Councilmembers should recognize that the Appearance of Fairness Doctrine does not require establishment of a conflict of interest, but whether there is an appearance of conflict of interest to the average person. This may involve the Councilmember or a Councilmember's business associate or a member of the Councilmember's immediate family. It could involve ex parte communications, ownership of property in the vicinity, business dealings with the proponents or opponents before or after the hearing, business dealings of the Councilmember's employer with the proponents or opponents, announced predisposition, and the like.

Prior to any quasi-judicial hearing, each Councilmember should give consideration to whether a potential violation of the Appearance of Fairness Doctrine exists. If the answer is in the affirmative, no matter how remote, the Councilmember should disclose such facts to the City Manager who will seek the opinion of the City Attorney as to whether a potential violation of the Appearance of Fairness Doctrine exists. The City Manager shall communicate such opinion to the Councilmember and to the Presiding Officer.

2. Anyone seeking to disqualify a Councilmember from participating in a decision on the basis of a violation of the Appearance of Fairness Doctrine must raise the challenge as soon as the basis for

disqualification is made known or reasonably should have been made known prior to the issuance of the decision; upon failure to do so, the Doctrine may not be relied upon to invalidate the decision. The party seeking to disqualify the Councilmember shall state with specificity the basis for disqualification; for example: demonstrated bias or prejudice for or against a party to the proceedings, a monetary interest in outcome of the proceedings, prejudgment of the issue prior to hearing the facts on the record, or ex parte contact. Should such challenge be made prior to the hearing, the City Manager shall direct the City Attorney to interview the Councilmember and render an opinion as to the likelihood that an Appearance of Fairness violation would be sustained in superior court. Should such challenge be made in the course of a quasi-judicial hearing, the Presiding Officer shall call a recess to permit the City Attorney to make such interview and render such opinion.

3. The Presiding Officer shall have sole authority to request a Councilmember to excuse himself/herself on the basis of an Appearance of Fairness violation. Further, if two (2) or more Councilmembers believe that an Appearance of Fairness violation exists, such individuals may move to request a Councilmember to excuse himself/herself on the basis of an Appearance of Fairness violation. In arriving at this decision, the Presiding Officer or other Councilmembers shall give due regard to the opinion of the City Attorney.

4. Notwithstanding the request of the Presiding Officer or other Councilmembers, the Councilmember may participate in any such proceeding.

D. Specific Statutory Provisions.

1. Candidates for the City Council may express their opinions about pending or proposed quasi-judicial actions while campaigning. [RCW 42.36.040](#).
2. A candidate for the City Council who complies with all provisions of applicable public disclosure and ethics laws shall not be limited under the Appearance of Fairness Doctrine from accepting campaign contributions to finance the campaign, including outstanding debts. [RCW 42.36.050](#).
3. During the pendency of any quasi-judicial proceeding, no Councilmember may engage in ex parte (outside the hearing) communications with proponents or opponents about a proposal involved in the pending proceeding, unless the Councilmember: (a) places on the record the substance of such oral or written communications; and (b) provides that a public announcement of the content of the communication and of the parties' right to rebut the substance of the communication shall be made at each hearing where action is taken or considered on the subject. This does not prohibit correspondence between a citizen and his or her elected official if the correspondence is made a part of the record, when it pertains to the subject matter of a quasi-judicial proceeding. [RCW 42.36.060](#).

6.03 Liability

The City must always approach its responsibilities in a manner that reduces appropriate risk to all involved. Nevertheless, with such a wide variety of high profile services (i.e., police, parks, roads, land use), risk cannot be eliminated. To better manage insurance and risk, the City participates in risk- and loss-control activities.

It is important to note that violations of certain laws and regulations by individual members of the City Council may result in the member being personally liable for damages which would not be covered by the City's insurance.

[DMMC 2.24.030](#) identified the exclusions to insurance coverage as follows:

The obligations assumed under this chapter by the city and the city attorney shall not apply to:

- A. Any dishonest, fraudulent, criminal, or malicious act of any official or employee;
- B. Any act of an official or employee, which is not performed on behalf of the city;
- C. Any act which is outside the scope of an official's or employee's service or employment with the city; or

D. Any lawsuit brought by or on behalf of the city.

The determination of whether an official or employee is entitled to a defense by the City under shall be made by the City Attorney. There shall be no appeal from such determination, except to the superior court by means of an action for declaratory judgment.

For more information, see [Chapter 2.24 DMMC](#).

CHAPTER 7 INTERACTION WITH CITY STAFF/OFFICIALS

7.01 Overview

City Council policy is implemented through dedicated and professional staff. Therefore, it is critical that the relationship between Council and staff be well understood by all parties so policies and programs may be implemented successfully. To support effective relationships, it is important that roles are clearly recognized.

The employment relationship between the City Council and City Manager honors the fact that the City Manager is the chief executive of the City. All dealings with the City Manager, whether in public or private, should respect the authority of the City Manager in administrative matters.

7.02 City Manager Performance Evaluation

In accordance with [DMMC 2.04.050](#), all members of the City Council will be required to participate in a review of the City Manager.

Prior to the process, the City Attorney will distribute evaluation forms to all Councilmembers for review, completion, and return within 14 days of receipt. The forms will be collated into one document for review before the evaluation date.

The members of the Council will use the collated document to review the City Manager during Executive Session.

7.03 City Council/City Clerk Relationship

The City Clerk is appointed by the City Manager. The City Clerk shall keep minutes as required by the Revised Code of Washington and Robert's Rules of Order, including a specific action item section, and shall perform such other and further duties in the meeting as may be required by the Council, Presiding Officer, or City Manager. In the absence of the City Clerk, the City Manager shall appoint a replacement to act as Clerk of the Council.

7.04 City Council/City Attorney Relationship

The City Attorney is the legal advisor for the Council, its committees, commissions and boards, the City Manager, and all City officers and employees with respect to any legal question involving an official duty or any legal matter pertaining to the affairs of the City.

It is important to note that the City Attorney does not represent, or advise, individual members of Council, but rather the City Council as a whole.

7.05 Non-Interference

In accordance with [RCW 35A.13.120](#), the City Council is to work through the City Manager when dealing with administrative services of the City. In no manner, either directly or indirectly, shall a Councilmember

become involved in, or attempt to influence or criticize personnel matters or individual staff members, who are under the direction of the City Manager.

Any criticism of staff by Councilmembers shall be directed to the City Manager. It is inappropriate and unethical for Councilmembers to publicly criticize individual staff members.

Individual Councilmembers may not intervene in staff decision-making, the development of staff recommendations, scheduling of work, or executing department priorities. Following this RCW is necessary in order to protect staff from undue influence and pressure from individual Councilmembers, and to allow staff to execute priorities given by management and the Council as a whole without fear of reprisal.

The City Council shall not be involved in, or influence, the purchase of any supplies beyond the requirements of the City procurement code/procedures.

If a Councilmember wishes to influence the actions, decisions, recommendations, or priorities of staff, that member must prevail upon the Council to do so as a matter of Council policy.

7.06 Access to Information

The City Manager is the information liaison between Council and City staff. Requests for information from Councilmembers are to be directed to the City Manager. The information requested will be copied to all members of Council so that each member may be equally informed.

There are limited restrictions when information cannot be provided. The City is legally bound to protect certain confidential personnel information. Likewise, certain aspects of police department affairs (i.e., access to restrict or confidential information related to crimes) may not be available to members of the City Council.

No Councilmember shall request or direct the City Manager or Department Directors to initiate any action or prepare any report, or initiate any project or study without the consent of a majority of the Council.

The full City Council retains the authority to accept, reject, or amend the staff recommendation on policy matters.

7.07 Staff Roles

The Council recognizes the primary functions of staff as executing Council policy and actions taken by the Council. Staff is directed to reject any attempts of individual Councilmembers to unduly direct or otherwise pressure them into making, changing, or otherwise influencing recommendations.

7.08 Councilmember Relationship with Staff

Staff support and assistance may be provided to advisory boards, commissions, and task forces. Advisory bodies, however, do not have supervisory authority over City employees. While staff may work closely with advisory bodies, staff members remain responsible to their immediate supervisors and, ultimately, the City Manager.

When Councilmembers are acting as Liaisons they shall not direct staff.

CHAPTER 8 CITY COUNCIL MEETINGS

The City Council's collective policy and law-making powers are put into action exclusively at the council meetings. It is here that the Council conducts its business. The opportunity for community members to be

heard, the availability of local officials to the public, and the openness of council meetings all lend themselves to the essential democratic nature of local government.

8.01 Meeting Schedule

Council business meetings are generally held the first, second, and fourth Thursdays of each month, convening at 6:00 p.m., in the Council Chambers at Des Moines City Hall, 21630 11th Ave S, Suite C, Des Moines WA, 98198. The first Thursday is intended to be reserved as a study session.

If Council Meetings are moved to alternate location or conducted remotely they will be noticed publicly at least 24 hours in advance in accordance with the State law.

8.02 Public Notice of Meetings and Hearings

Pursuant to [RCW 35.22.288](#), cities are charged with establishing a procedure for notifying the public of upcoming hearings and the preliminary agenda for the forthcoming council meeting. The procedure followed by the City of Des Moines is as follows:

A. Open to the Public:

All meetings of the City Council and of committees thereof shall be open to the public, except as provided for in [RCW 42.30.110](#) or [RCW 42.30.140](#).

B. Notices of Public Hearing:

Except where a specific means of notifying the public of a public hearing is otherwise provided by law or ordinance, notice of upcoming public hearings before the City Council shall be given by public notice containing the time, place, date, subject, and body before whom the hearing is to be held, using the City's official notification process at least ten (10) days before the date set for the hearing.

C. Preliminary Agenda of Council Meeting:

The public shall be notified of the preliminary agenda for the forthcoming regular City Council meeting by posting a copy of the agenda in the following public places in the City at least 24 hours in advance of the meeting:

Des Moines City Hall
21630 11th Ave So
Des Moines, WA 98198
Website: The City's Official Website: desmoineswa.gov
Des Moines Libraries
Des Moines Marina
Redondo

8.03 Special Meetings

It is the intent of the Des Moines City Council that the procedures of this Council Rule 8.03 are enforceable to the same extent as [RCW 42.30.080](#), as the City's implementation of the Open Public Meetings Act special meeting requirements set forth at [RCW 42.30.080](#). Procedures for setting a special meeting are as follows:

A. A special meeting may be called by the Mayor or any four members of the Council.

B. Notice of the special meeting shall be prepared in writing. The notice shall contain the following information about the meeting: time, place, duration of meeting, and business to be transacted. The notice shall be reviewed by the City Attorney for proper legal form. After the preliminary agenda has been approved by the Presiding Officer, a copy of the agenda and supporting materials shall be prepared for Councilmembers, the City Manager, and the press by close of business Friday prior to the Special Council Meeting, except in case of an emergency.

- C. The notice shall be posted on the City's website and Councilmembers will be notified via email of the special meeting. The notice must be delivered at least twenty-four (24) hours prior to the meeting.
- D. When email notice is given to Councilmembers, the City Clerk shall provide confirming follow up of such email notice by making a personal telephone call directly to each Councilmember who has not acknowledged receipt of the email. The City Clerk shall document the date and time of such follow up telephone call.
- E. The notices provided in this section may be dispensed within the circumstances provided by [RCW 42.30.080](#).

8.04 Placing Items on the Agenda

The Presiding Officer, three Councilmembers, or the City Manager may introduce a new item to the preliminary agenda.

The Presiding Officer shall have the option of postponing any item on the agenda until the next regular Council meeting, unless it was introduced by three Councilmembers.

The City Clerk, under the direction of the City Manager, shall arrange a list of such matters according to the order of business and prepare a preliminary agenda for the Council.

After the preliminary agenda has been approved by the Presiding Officer, a copy of the agenda and supporting materials shall be prepared for Councilmembers, the City Manager, and the press by close of business Friday prior to the Regular Council Meeting, except in case of an emergency.

Emergency items may be added to an agenda in accordance with state law.

8.05 Recording and Broadcast of Meetings

The City Clerk, or designee, shall make and keep audio recordings, and video when possible, of all standing committee and business meetings of the Des Moines City Council, except those meetings or portions of meetings conducted in Executive Session.

Recordings and related records of all City Council meetings, except as referenced above, shall be retained by the City in accordance with the Washington State Records Retention Schedule.

All public meetings of a quorum of the City Council not exempt from the Open Public Meetings Act held in the Des Moines City Hall at 21630 11th Avenue South should be video recorded and broadcast within the City.

8.06 Order of Business – Regular Meetings

The City Council, by adoption of this manual, establishes the general order of meetings. This section details the order of meeting components and gives direction for their conduct. The Presiding Officer may, during a Council meeting, rearrange items on the agenda to conduct the business before the Council more expeditiously. Any ruling by the Presiding Officer relative to rearrangement of items on the agenda may be overruled by a vote of a majority of members present.

The components of business and their order are as follows:

- A. Call to Order and Pledge of Allegiance
- B. Roll Call
- C. Correspondence not Previously Received by Council
- D. Comments from the Public
- E. Committee Chair Reports
- F. City Manager Report/Presentations/Briefings

- G. Consent Agenda
- H. Ceremonial Matters, Proclamations (reading)
- I. Public Hearings
- J. Unfinished Business
- K. New Business
- L. New Agenda Items for Consideration
- M. Councilmember Reports
- N. Presiding Officer's Report
- O. Executive Session (as required)
- P. Next Meeting Date
- Q. Adjournment
- R. Meeting Materials -

Conduct of Business:

- A. Call to Order/Pledge
- B. Roll Call:
 - 1. (For procedure to excuse an absence see 8.09.E)
- C. Correspondence not previously received by Council.

D. Comments from the Public:

Public Comments are encouraged and appreciated. All Public Comment will be recorded and become part of the Public Record, which is available to the Public on the City website. Public comment is provided as an informational and educational tool for the Council. The information and advice received from citizens helps the City Council make the best possible decisions. Public comment is for the benefit of the Council, and is not provided as an opportunity to speak to, inform, or educate the community.

The following rules have been established in order to ensure that all individuals wishing to address the City Council are fairly heard:

- a. The following language will be added to the published agenda under Public Comment: "During this item, the Presiding Officer will invite public comment. Those testifying or providing public comment will be limited to three minutes. Citizens representing a group will be allowed up to five minutes to speak. No speaker may convey or donate their time for speaking time to another speaker.
- b. Persons wishing to address the Council, who are not specifically scheduled on the agenda shall first fill out a sign-in sheet, stating their name, City of residence, and public comment topic, and the sign-in sheet shall be submitted to the City Clerk prior to the start of Public Comment.
- c. Citizens who have signed in will be invited by the Presiding Officer to the podium. Speakers will first state their name and City of residence and be allowed three minutes to speak.
- d. Except where permission is granted by the Presiding Officer, all remarks shall be made only from the designated podium and addressed to the Council as a body, and not to individual members, the audience, or the cameras.
- e. No person other than the Council and the person having the floor will be permitted to enter into any discussion, either directly or through a member of the Council, without the permission of the Presiding Officer.
- f. The Presiding Officer or designee shall notify the individual when the allotted time has expired and the speaker shall promptly conclude their remarks. All speakers are encourage to submit supplemental or detailed written remarks for Council consideration.
- g. Public comments with regard to subjects of a Public Hearing must be made during the Public Hearing portion of the meeting. If information pertaining to a public hearing is presented during the general comment period, the speaker will be ruled, "Out of Order" by the Presiding Officer and asked to save their comments for the Public Hearing.
- h. Any person or speaker who engages in behavior that disrupts the meeting so that it may not

continue may be ordered to leave the meeting. The Presiding Officer has the authority and duty to preserve order at all meetings of the Council, to cause the removal of any person from any meeting for disrupting the meeting and to enforce these rules.

- i. At the pleasure of the Presiding Officer or by a motion and agreement of a Council majority, following a public comment, a matter may be placed on a future agenda, or be referred to the administration or a council committee for investigation and report. A vote of a Council majority may also overrule the decision of the Presiding Officer in this case.
- j. Residents are encouraged to supplement correspondence through written submittals. Written correspondence may be submitted to the Council at any time by email, citycouncil@desmoineswa.gov or mailing or otherwise delivering to the City Clerk, 21630 11th Ave So, Des Moines, WA 98198. A copy of all correspondence will be distributed to each Councilmember and will be made part of the public record, but will not be read aloud.

E. Committee Chair Reports:

This is a three-minute opportunity for Chairs of standing committees of the Council to update the Council on Board and committee activities, work plans, and other items of interest.

F. City Manager Report/Presentations/Briefings:

The City Manager's report is an opportunity for the City Manager to brief the Council on the progress or plans with regard to items, projects, issues, relationships, or events of significant interest.

G. Consent Agenda:

The City Manager, in consultation with the Presiding Officer, shall place matters on the Consent Agenda which are considered to be of a routine and non-controversial nature. The individual items on the consent agenda shall be approved, adopted, or enacted by one motion of the Council. Any item may be removed from the Consent Agenda on the request of a single Councilmember. It will be considered at its regular place in the agenda OR It will be considered immediately after the Consent Agenda.

No discussion shall take place regarding any item on the consent agenda beyond asking questions for simple clarification.

H. Ceremonial Matters, Proclamations, Recognitions:

1. Proclamations:

The Mayor and the Council have authority to introduce proclamations for a variety of purposes, as approved by the Council. No proclamation shall constitute official City actions unless approved or authorized by a majority of the City Council.

I. Public Hearings – The procedures of a public hearing are as follows:

1. Prior to the start of the "Comments from the Public" portion of the public hearing, the Presiding Officer may require that all persons wishing to be heard shall sign in with the Clerk, giving their names City of residence, the agenda item, and whether they wish to speak as proponent, opponent, or otherwise. Any person who fails to sign in shall not be permitted to speak until all those who signed in have done so. At any public hearing all persons who have signed in and wish to be heard shall be heard. However, the Presiding Officer shall be authorized to establish speaker time limits and otherwise control presentations to avoid repetition. In public hearings that are not of a quasi-judicial nature, the Presiding Officer, subject to concurrence of the majority of the Council, may establish time limits and otherwise control presentations. The Presiding Officer may change the order of speakers so that testimony is heard in the most logical groupings (i.e. proponents, opponents, adjacent owners, vested interests, etc.).
2. The Presiding Officer introduces the agenda item, opens the public hearing, and provides a summary of the following Rules of Order and/or advises the public that they may have a copy of such rules, which shall be available with other agenda materials regularly made available to the public at each Council meeting:

- a. All comments by proponents, opponents, or the public shall be made from the speaker's rostrum and any individual making comments shall first give their name and city of residence. This is required because an official recorded transcript of the public hearing is being made. If there is any appeal to King County Superior Court, the court must make its decision on the basis of what was said here.
 - b. It is not necessary to be a proponent or opponent in order to speak. If you consider yourself neither a proponent nor opponent, please speak during the proponent portion and identify yourself as neither a proponent nor an opponent
 - c. No comments shall be made from any other location, and anyone making "out of order" comments shall be subject to removal from the meeting.
 - d. There will be no demonstrations during or at the conclusion of anyone's presentation
 - e. These rules are intended to promote an orderly system of holding a public hearing, to give every person an opportunity to be heard, and that every individual who speaks can do so without ridicule or intimidation.to ensure that no individual is embarrassed by exercising their right of free speech.
3. When Council conducts a hearing to which the Appearance of Fairness Doctrine applies (Rule 6.2, and Parliamentary Procedure 11.06B) the Presiding Officer will ask if any Councilmember knows of any reason which would require such member to excuse themselves pursuant to Rule 6.2. The suggested form of the announcement is as follows:
- "All Councilmembers should now give consideration as to whether they have: (1) a demonstrated bias or prejudice for or against any party to the proceedings; (2) a direct or indirect monetary interest in the outcome of the proceedings; (3) a prejudgment of the issue prior to hearing the facts on the record; or (4) ex parte contact with any individual, excluding Administrative staff, with regard to an issue prior to the hearing. If any Councilmember should answer in the affirmative, then the Councilmember should state the reason for their answer at this time so that the Chair may inquire of Administration as to whether a violation of the Appearance of Fairness Doctrine exists."
- a. When Council conducts a "quasi-judicial" hearing, the Presiding Officer may require that all persons wishing to provide testimony during the course of such hearing provide an oath, on the record, affirming the truth of their testimony. The suggested form and process for such oath is as follows:
 - "The Presiding Officer asks all possible speakers to raise their right hand, asks such individuals to consider the following question and respond "I do", and inquires:
 - "Do you affirm under penalty of perjury under the laws of the State of Washington that the testimony you are about to provide is true and accurate to the best of your knowledge?"
4. At the outset of each public hearing or meeting to consider a zoning amendment or zoning reclassification the Presiding Officer will call upon City Administration to describe the matter under consideration, including legal standards for approval of the item before the Council, and ask the parties to limit their presentations to information within the scope of the Council standards.
5. The Presiding Officer calls for proponents in quasi-judicial proceedings (and for speakers in non-quasi-judicial proceedings).
6. The proponents now speak. (Note: If the City of Des Moines is the proponent, a member or members of the administration shall be designated to give proponent and rebuttal testimony).
7. The Presiding Officer calls for additional proponents or speakers three times.
8. In non-quasi-judicial proceedings refer to Public Hearing Rule 10a, otherwise the Presiding Officer calls for opponents by announcing the following:
- "At this time the opponents will have an opportunity to speak. Should any opponent have questions to ask of the proponents, ask the questions during your presentation. The proponents shall note the question asked, and answer such questions when the proponent speaks in rebuttal. The proponent shall be required to answer any reasonable question, provided that the Presiding Officer reserves the right to rule any question out of order."
9. Opponents speak.
10. The Presiding Officer calls for additional opponents three times.

11. The Presiding Officer calls for proponents to speak in rebuttal. A proponent speaking in rebuttal shall not introduce new material. If the proponent does, or is allowed to do so, the opponents shall also be allowed to rebut the new elements.
12. The Presiding Officer announces:
"At this time I will inquire of the administration as to whether there have been any mis-statements of fact or whether the administration wishes to introduce any material as to subjects raised by the proponents or opponents or alter in any regard its initial recommendations."
13. The Presiding Officer inquires as to whether any Councilmembers have any questions to ask the proponents, opponents, speakers, or administration. If any Councilmember has questions, the appropriate individual will be recalled to the podium.
14. The Presiding Officer closes the public hearing.
15. After a public hearing is closed, no member of the public shall be permitted to address the Council or the staff. In fairness to members of the public, the City Council shall be considered to be in deliberations from that point forward. Continuance of the item shall place it on the "unfinished business" portion of any forthcoming agenda. Additional public testimony either that evening or at a future meeting would be precluded until public hearing notification procedures required by the Des Moines Municipal Code are concluded.
16. The Presiding Officer inquires if there is a motion by any Councilmembers. If a motion is made, it shall be in the form of an affirmative motion. Following the motion and its second, discussion occurs among Councilmembers. The Presiding Officer may call on individual Councilmembers in the discussion.
17. The Presiding Officer inquires if there is any further discussion by the Councilmembers.
18. The Presiding Officer inquires if there are any final comments or recommendations from administration.
19. The Presiding Officer inquires of the Councilmembers as to whether they are ready for the question.
20. The Clerk shall conduct a roll call vote.
21. The Presiding Officer directs administration to prepare findings consistent with the action.

J. Unfinished Business.

K. New Business - The following are types of business conducted by the City Council:

1. Ordinances, Resolutions, Proclamations, Contracts:
All Ordinances, Resolutions, Proclamations and Contracts shall, before presentation to the Council, have been approved as to form and legality by the City Attorney, the applicable Department Head(s), and the City Manager.
2. Draft Preparation:
Ordinances and resolutions shall be prepared by the City Attorney and presented to the full Council for consideration. Prior to final passage of all ordinances, resolutions or motions, such documents or proposals shall be designated as DRAFTS as follows:
 - a. Proposed Drafts shall contain the name of the group, organization, committee or individual originating, initiating or sponsoring the proposal prior to the first presentation to the City Council where a vote is taken directing some official action or further consideration.
 - b. Council Drafts shall be documents or proposals which have been presented in open session and voted on by the City Council when the resultant Council action was other than passage or a vote to cease further consideration.
3. Ordinances:
An enacted ordinance is a legislative act prescribing general, uniform, and permanent rules of conduct relating to the corporate affairs of the municipality. Council action shall be taken by ordinance as required by law, or to prescribe permanent rules of conduct which continue in force until repealed, or where such conduct is enforced by penalty. If a Councilmember requests that the entire ordinance, certain sections, or the title be read, such requests shall be granted.
4. Resolutions:

An enacted resolution is an administrative act which is a formal statement of policy concerning matters of special or temporary character. Council action shall be taken by resolution as required by law and in those instances where an expression of policy more formal than a motion is desired.

5. The title of each resolution shall in all cases be read prior to its passage; provided, should a Councilmember request that the entire resolution or certain of its sections be read, such requests shall be granted. Printed copies shall be made available upon request to any person attending a Council meeting.

6. Contracts:

Refer to Addendum B, [Resolution No. 1118](#), policies governing City Council participation in public contracts.

7. Motions:

A motion is a formal procedure for taking action. To make a motion, a Councilmember must first be recognized by the Mayor.

- L. New Agenda Items for Consideration:

This portion of the meeting allows a Councilmember to present an idea to their colleagues for consideration in placing the item on a future agenda:

1. A presenter should come to the dais prepared with research and answers to questions, and offer a specific, concise request.
2. It is not a time for discussion, deliberation, presentation, or research – other than the minimum amount of information necessary to gain needed support.
3. A minimum of three Councilmembers must agree in order for the item introduced to be placed on a future agenda.

- M. Councilmember Reports:

This is an opportunity for Councilmembers to comment on agenda items and update each other regarding community events, activities, or notable regional issues:

1. Reports shall be limited to four minutes, unless extended time is granted by the Presiding Officer. The Presiding Officer shall notify the Councilmember when the allotted time has expired. Discussion or voting during this time will not be considered a part of their time limit.

- N. Presiding Officer's Report:

In addition to any special board or committee reports, the Presiding Officer may give a report on any activity participated in as part of the official duties of the Mayor.

- O. Executive Session (as needed):

At the call of the presiding officer, or with a majority vote, the City Council may recess to Executive Session to privately discuss and consider matters of confidential concern to the well-being of the City. The purposes for which an Executive Session or Closed Session may be held are identified in [RCW 42.30.110](#) and [RCW 42.30.140](#).

The City Council may also hold an Executive Session to receive confidential advice from the City Attorney under the attorney-client privilege.

Before convening in Executive Session or Closed Session, the presiding officer shall publicly announce the purpose for excluding the public from the meeting place, and the time when the Executive Session/Closed Session will be concluded. ~~An Executive Session/Closed Session may be extended to a stated later time by announcement of the Presiding Officer. If the Executive Session runs long, the presiding officer must come back to the location of the regular meeting and announce the new time the open session will reconvene.~~

Participants in an executive session have a duty under the Open Public Meetings Act to keep information from the session confidential, Pursuant to Attorney General Opinion ([AGO 2017 No. 5](#)).

disclosure of confidential information from an executive session by a municipal officer violates [RCW 42.23.070\(4\)](#) and accordingly may result in the sanction or censure of the violating party.

P. Next meeting date announced by Presiding Officer.

Q. Adjournment. No meeting shall be permitted to continue beyond 9:00 p.m. without approval of three-fourths of the Councilmembers who are present and eligible to vote. A new time limit must be established before taking a Council vote to extend the meeting. In the event that a meeting has not been closed or continued by Council vote prior to 9:00 PM, the items not acted on shall be deferred to the next regular Council meeting as unfinished business, unless the Council, by a majority vote of members present, determines otherwise.

R. Meeting Materials - Following each meeting, public comment and any materials included at the meeting, which were not in the original packet, will be posted on the City website with a notification.

8.07 Order of Business - Study Sessions

The study session is the forum used by Council to review forthcoming programs of the City, to receive progress reports on current issues, or to receive similar information from the City Manager and others. The purpose of Study Sessions is to allow Councilmembers to do concentrated preliminary work with administration on single subjects of time consuming, complex matters (i.e., budget, complex legislation or reports, research, etc.)

Study Sessions need have no formal agenda and may be conducted informally so long as such informality is not in conflict with these rules. These conditions will allow the Councilmembers to communicate informally about these impending issues. The Presiding Officer retains the option of assuming the function of the Moderator in order to keep the discussion properly focused.

No final Council action on ordinances or resolutions may be taken during a Study Session.

A. In Preparation for a Study Session, the City Clerk, under the direction of the City Manager, shall arrange a Council Study Session worksheet for the Study Session. The Council Study Session worksheet shall contain the Discussion Item.

B. After the proposed Council Study Session worksheet has been approved by the Presiding Officer, a copy of it along with any available supporting materials shall be prepared for Councilmembers, and the meeting will be noticed by close of business Friday prior to the Council Study Session, except in an emergency.

C. During a Study Session, the Moderator may:

1. Introduce and give background information
2. Identify the discussion goal
3. Act as facilitator to keep the discussion focused
4. Alert the Presiding Officer when/if it is appropriate to call for a motion or other official direction of the Council

8.08 Order of Business – General Procedures

A. Forms of Address:

The Mayor shall be addressed as "Mayor (surname)." The Deputy Mayor shall be addressed as "Deputy Mayor (surname)." Members of the Council shall be addressed as "Councilmember (surname)."

B. Seating Arrangement of the Council:

Councilmembers shall occupy the respective seats in the Council Chamber assigned to them by the Mayor.

C. Signing of City Documents:

The Mayor, unless unavailable, shall sign all ordinances, resolutions and other documents which have been adopted by the City Council and require an official signature; except when the City Manager has been authorized by Council action to sign documents. In the event the Mayor is unavailable, the Deputy Mayor may sign such documents.

D. Quorum:

At all meetings of the Council, four Councilmembers who are present and eligible to vote shall constitute a quorum for the transaction of business. A lesser number may adjourn from time to time, provided that written notice of said adjournment is posted in accordance with RCW 42.30.090. Council meetings adjourned under the previous provision shall be considered a regular meeting for all purposes.

E. Attendance:

[RCW 35A.12.060](#) provides that a Councilmember shall forfeit his/her office by failing to attend three consecutive regular meetings of the Council without being excused by the Council. Members of the Council may be so excused by complying with this section. The member shall contact the Presiding Officer prior to the meeting and state the reason for his/her inability to attend the meeting. If the member is unable to contact the Presiding Officer, the member shall contact the City Manager or City Clerk, who shall convey the message to the Presiding Officer. Following roll call, the Presiding Officer shall inform the Council of the member's absence, state the reason for such absence, and inquire if there is a motion to excuse the member. This motion shall be non-debatable. Upon passage of such motion by a majority of members present, the absent member shall be considered excused and the Clerk will make an appropriate notation in the minutes.

F. Remote Attendance:

A Councilmember may participate remotely in all or part of a Council meeting because of an unanticipated event that prevents a Councilmember from attending in person through no fault of their own. In order to receive compensation for a meeting, a formal recognition of remote attendance must be granted by the Mayor or Presiding Officer.

If the basis for the remote participation is due to the Councilmember attending to City business in another capacity, the Councilmember shall be considered physically present for the purposes of [DMMC 4.08.020](#).

In the event that the Mayor seeks to attend a meeting remotely, the Mayor shall seek prior approval from the Deputy Mayor. If approval is granted, the Deputy Mayor shall act as the Presiding Officer for the meeting.

When participating remotely:

1. A Councilmember must be able to be heard.
2. The Councilmember shall have reviewed all of the applicable material and participated in the relevant portion of the Council Meeting related to the topic of the vote. Any technical prohibitions or difficulties that prevent all parties present at the Council Meeting from adequately communicating, will negate any authorization previously given by the Mayor.
3. The remote participant shall notify the Presiding Officer if they are about to disconnect participation.
4. A remote appearance shall count toward a quorum of the Council for all purposes and shall entitle the Councilmember to vote.

G. Minutes:

The City Clerk or designee shall take minutes at all meetings of the City Council. The minutes shall be made available for public inspection.

H. Voting:

Unless otherwise provided for by statute, ordinance, or resolution, all votes shall be taken by voice or by raise of hand as requested by the Presiding Officer. A roll call vote shall be taken by the Clerk at the request of a Councilmember. The order of the roll call vote shall be determined by the Presiding Officer:

1. Vote requirements include:
 - a. Majority of the fixed membership of the Council (4 votes)
 - b. Two-thirds of the fixed membership of the Council (5 votes)
 - c. Minimum of a majority of members present and voting (if 4 or 5 members present and voting, this is 3. If 6 or 7 members present and voting, this is 4).
2. In case of a tie in votes on any proposal, the proposal shall be considered lost.
3. Every member who was in the Council chambers when the question was put, shall give their vote unless the Councilmember excuses themselves in accordance with 8.08(e). If any unexcused Councilmember remains silent, they shall be listed in the record as "abstain."
4. Reconsideration of an item will be taken up by a majority vote of members present and voting. A member of the prevailing side must make a motion for reconsideration after the previous vote was taken, and it can be made no later than the next regular meeting after which the previous vote was taken.
5. The passage of any ordinance, grant or revocation of franchise or license, any resolution for the payment of money, any approval of warrants, and any resolution for the removal of the City Manager shall require the affirmative vote of at least a majority of the fixed membership of the Council (four votes)
6. The passage of any public emergency ordinance (an ordinance that takes effect immediately), expenditures for any calamity or violence of nature or riot or insurrection or war, and provisions for a lesser emergency such as a budget amendment shall require the affirmative vote of at least two-thirds of the fixed membership of the Council (five votes).
7. Only those ordinances, resolutions, or motions that receive an affirmative vote by the majority of members present and voting shall be passed or become effective unless other voting requirements are provided by Washington State law, DMMC, or this Resolution as amended.
8. In order for an ordinance or resolution to become effective immediately, the City Council must declare that an emergency exists and approve the ordinance or resolution by the affirmative vote of two-thirds of the fixed membership of the Council (five votes). (See Chapter 8.G.10E).

8.09 Open Public Meetings Act

- A. The Des Moines City Council will comply with all state and federal law in the notice, conduct, recording, storage and dissemination of meetings and associated information.
- B. All writings distributed for discussion or consideration at a public meeting are public records. To that end, except for emergencies and technical issues, Councilmembers shall not communicate digitally, in forms such as, but not limited to; call, text, chat, or social media posting during a council meeting.
- C. Actions:

No legal action can be taken by the Council except in a public meeting. At a *Special Meeting*, action can be taken only on those items appearing on the posted agenda, except for emergency items. At a Regular Meeting of the City Council, the Council is free to take action on non-agenda items, subject to applicable notice requirements in state statutes or local ordinances for the subject matter being considered.

**CHAPTER 9
PROTOCOL ADMINISTRATION**

9.01 Biennial Review

The City Council will review and revise the City Council Protocol Manual every two years, or as needed.

If needed, an Ad Hoc committee may be appointed by the Mayor for the purpose of review and advice to the Council.

9.02 Adherence to Protocol

- A. Each Councilmember shall have the duty and obligation to review this Protocol Manual and understand to be bound by its provisions.
- B. The Mayor will be primarily responsible to ensure that the City Council, staff, and members of the public adhere to the Council's adopted Protocol Manual.
- C. Knowing and/or willful failure to adhere to the provisions of this Protocol Manual may subject a Councilmember to enforcement and sanctions as follows:
 - 1. Upon determining that there is credible evidence that a Councilmember has, or may have, engaged in knowing and/or willful action or omission that constitutes failure to adhere to the provisions of this Protocol Manual, the Mayor or the Deputy Mayor, in the event that the Mayor is the Councilmember alleged to have engaged in such action or omission, may call upon the Council to determine whether such knowing and/or willful action or omission has occurred, and the sanctions, if any, to be imposed.
 - 2. Prior to conducting any hearing on an alleged failure to adhere to the provisions of this Protocol Manual, the Mayor or Deputy Mayor shall provide written notice to the Councilmember alleged to have engaged in such failure to adhere at least ten (10) calendar days prior to calling for such hearing. The written notice shall identify the specific provisions of this Protocol Manual with which the Councilmember is alleged to have failed to adhere and the facts supporting such allegation.
 - 3. Upon call by the Mayor or Deputy Mayor, a majority of the Council shall vote on whether to hold a hearing to determine the existence of an act or omission constituting a failure to adhere and the sanctions, if any, to be imposed. If such hearing is approved by the Council, the hearing shall be held at a time and place specified in the motion approving such hearing.
 - 4. At such hearing, the Council shall determine whether there is a preponderance of credible and substantial evidence indicating that a Councilmember has knowingly and/or willfully acted or failed to act in a manner constituting a failure to adhere to the provisions of this Protocol Manual. The Councilmember alleged to have failed to adhere to the provisions of this Protocol Manual shall have the right to present evidence and testimony. The finding of the existence of such knowing and/or willful failure to adhere shall be determined by motion approved by a majority of the Council.
 - 5. Upon finding that a knowing and/or willful failure to adhere to the provisions of this Protocol Manual has occurred, the Council shall proceed to determine whether the sanctions, if any, should be imposed. Such breaches include, but are not limited to:
 - a. Failure to observe respectful rules of discussion
 - b. Creating disruption at the dais
 - c. Breaching confidentiality of executive session
 - d. Failing to observe ethics guidelines
 - e. Taking action outside the board meeting which undermines the body.
 - f. Appropriate sanctions include, but are not limited to the following:
 - 1. Verbal warning
 - 2. Written warning
 - 3. Public censure
 - 4. Removal of appointment to extra-territorial boards, committees, or commissions; and
 - 5. Removal of appointment to Council boards or committees

9.03 City Attorney as Protocol Advisor

The City Attorney shall assist the Mayor and serve as an advisor for interpreting the City Council's adopted Protocol Manual.

CHAPTER 10

LEAVING OFFICE/FILLING VACANCIES

10.01 Return of Materials and Equipment

During their service on the City Council, members may have acquired or been provided equipment such as computers, cell phone or other items of significant value. These items are to be returned to the City at the conclusion of a member's term. If an item is lost or unable to be returned, the Councilmember will reimburse the City for the current value of the item.

10.02 Filling Council Vacancies

The purpose of this section is to provide guidance to the City Council when a Des Moines Councilmember position becomes vacant before the expiration of the official's elected term of office. Pursuant to state law, a vacancy shall be filled only until the next regular municipal election, to serve the remainder of the unexpired term.

A. References

[RCW 42.30.110 \(H\)](#) – Executive Session Allowed to Consider Qualifications of a Candidate for Appointment to Elective office.

[RCW 42.30.060](#) – Prohibition on Secret Ballots.

[RCW 42.12](#) – Vacant Position.

[RCW 35A.13.020](#) – Vacancies – Filling of Vacancies in Council/Manager Form of Government:

1. A Council position shall be officially declared vacant upon the occurrence of any of the causes of vacancy set forth in [RCW 42.12.010](#), and [RCW 35A.13.020](#), including resignation, recall, forfeiture, written or public statement of intent to resign, or death of a Councilmember. The Councilmember who is vacating their position is not allowed to participate in the appointment process.
2. In order to fill the vacancy with the most qualified person available until an election is held, the City Council shall direct staff to begin the Councilmember appointment process and establish an interview and appointment schedule, so that the position is filled at the earliest opportunity:
 - a. The City Clerk's Office shall prepare and distribute a public notice as required. This notice shall contain information, including but not limited to, time to be served in the vacant position, election information, salary information, Councilmember powers and duties, the deadline date and time for submitting applications, interview and appointment schedules, and such other information that the City Council deems appropriate.
 - b. The City Clerk's Office shall prepare an application form, which requests appropriate information for City Council consideration of the applicants. Applications will be available at City of Des Moines offices and on the City's official website.
 - c. Applications and any attachments received by the deadline date and time will be distributed by the City Clerk's Office, to the Mayor and City Council.
 - d. The City Clerk's Office shall publish the required public notice(s) for the meeting scheduled for interviewing applicants for consideration to the vacant position. This meeting may be a regularly scheduled City Council meeting, or a special City Council meeting.
 - e. The City Clerk's Office shall notify applicants of the location, date and time of City Council interviews, and include instructions about how the interview process will be conducted.
3. Interview Process:
The Interview process will be determined by a vote of the majority of the Council.
4. Voting:
Upon completion of the interviews, Councilmembers may convene into Executive Session to discuss the qualifications of the applicants. However, all interviews, deliberations, nominations and votes taken by the Council shall be in open public session:

- a. The Mayor shall ask for nominations from the Councilmembers for the purpose of creating a group of candidates to consider. No second is needed.
- b. Nominations are closed by a motion, second and majority vote of the Council.
- c. Councilmembers may deliberate on such matters as criteria for selection and the nominated group of candidates.
- d. The Mayor shall poll Councilmembers to ascertain that Councilmembers are prepared to vote.
- e. The City Clerk shall proceed with a roll-call vote.
- f. Elections will continue until a nominee receives a majority vote of the remaining Councilmembers.
- g. At any time during the election process, the City Council may postpone elections until a date certain or regular meeting if a majority vote has not been received.
- h. Nothing in this policy shall prevent the City Council from reconvening into Executive Session to further discuss the applicant/candidate qualifications.
- i. The Mayor shall declare the nominee receiving the majority vote as the new Councilmember and shall be sworn into office by the City Clerk at the earliest opportunity or no later than the next regularly scheduled City Council meeting.
- j. If the City Council does not appoint a qualified person to fill the vacancy within 90 days of the declared vacancy, the Revised Code of Washington delegates appointment powers to King County.

CHAPTER 11 PARLIAMENTARY PROCEDURES

Rules of Order not specified by statute, Ordinance or Resolution shall be governed by the most recent edition of *Robert's Rules of Order Newly Revised*.

All items of business placed before the Council that require the expenditure of Council and/or administration resources, shall be in the form of an affirmative motion.

11.01 Meeting Decorum and Order

- A. The presiding officer shall preserve decorum and decide all questions of order, subject to appeal by the Council. During Council meetings, Councilmembers shall preserve order and decorum and shall not delay or interrupt the proceedings or refuse to obey the orders of the chair or the rules of protocol.
- B. Courtesy: Members of the Council, in the discussion, comments or debate of any matter or issue, shall be courteous in the language and demeanor, and shall not engage in derogatory remarks or insinuations in respect to any other member of the Council, or any member of the staff or the public, but shall, at all times, confine their remarks to those facts which are germane and relevant as determined by the Presiding Officer, to the question or matter under discussion.

Interruption: No member of the Council shall interrupt or argue with any other member while such a member has the floor

- C. The City of Des Moines is committed to maintaining a drug and alcohol free workplace. Accordingly, members of the Council shall abide by Sections 6(1) and (6)(J)(I) of the City of Des Moines Personnel Manual while serving at the dais.

Any Councilmember may request the presiding officer to enforce the rules of protocol by using the motion "Point of Order." The Presiding Officer rules on whether the Point of Order is well-taken or not. Any Councilmember may appeal the Presiding Officer's ruling. The Council will decide whether to sustain or overrule the Presiding Officer's ruling by majority vote. The Presiding Officer may vote on the appeal. A

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tie vote sustains the Presiding Officer's decision.

- D. Dress Code: For Council Business meetings and representation assignments, Councilmembers shall adhere to a business casual attire, allowing for appropriate cultural expectations.

11.02 Obtaining the Floor

A Councilmember shall address or signal the presiding officer and gain recognition prior to making a motion or engaging in debate. Cross-exchange between Councilmembers and the public should be avoided. This is to prevent general conversation and to keep the order necessary to maintain decorum and accomplish the business of the Council.

After a member has concluded comments and yielded the floor, if two or more members are trying to obtain the floor at the same time, the general rule is that the person who addresses or signals the chair first is entitled to be recognized. When a motion is open to debate, however, there are two instances in which the presiding officer should assign the floor to a person who may not have been the first to address the chair. These are:

- A. The Councilmember who made the motion currently under debate is entitled to be recognized in preference to other members if that individual is claiming the floor and has not already spoken on the question.
- B. No member is entitled to the floor a second time in the meeting on the same motion as long as another member who has not spoken on the motion desires the floor.

11.03 Interruptions

Once recognized, a Councilmember should not be interrupted while speaking, except when another member makes a point of order. If a Councilmember is called to order while speaking, the individual shall cease speaking until the question order is determined.

Upon being recognized by the presiding officer, members of the staff shall hold the floor until completion of their remarks or until recognition is withdrawn by the presiding officer.

11.04 Discussion Limit

- A. Councilmembers should not speak more than once on a particular subject until every other Councilmember has had the opportunity to speak. No member of the Council shall speak more than twice on the same motion except by consent of the majority of the Council present.
- B. Questions and answers by the members of the Council are not considered as speaking to the motion.
- C. Each member of the Council shall speak for not more than five minutes per turn unless granted exception by a majority of the Council present.
- D. No member of the Council may give their allotted time to another member unless there is approval of the majority of the Council present.

11.05 Suspending the Rules

A majority vote of members present and voting may suspend any provision of these meeting rules not governed by state law or ordinance without debate. The Councilmember moving the motion will state, "I move that we suspend the rules to [giving the purpose]." The Council may not suspend rules on fundamental principles of parliamentary procedure or those affecting the rights of individual members.

CHAPTER 12

ADDITIONAL TRAINING AND RESOURCE MATERIALS

12.01 Association of Washington Cities [(800) 562-8981]

<https://wacities.org/> The Association is a voluntary, nonpartisan, nonprofit association comprised of all incorporated cities and towns in Washington.

12.02 National League of Cities [(202) 626-3000]

www.nlc.org A non-partisan organization serving municipal governments, the NLC works to establish unified policy positions, advocates those policies forcefully, and shares information that strengthens municipal government throughout the nation.

12.03 International City/County Management Association [(202) 289-4262]

<https://icma.org/> ICMA is a professional and educational association of local government administrators that serves to enhance the quality of local government through professional management and to support and assist professional local government administration. The Association's *Elected Officials Handbook* series can be of great value to Councilmembers. Publications are also available through ICMA concerning every basic city service.

12.04 Government Finance Officers Association [(312) 977-9700]

www.gfoa.org GFOA is a professional association of state and local finance officers. The Association administers a broad range of services and programs related to government financial management.

12.05 Municipal Research & Services Center of Washington [(206) 625-1300]

www.mrsc.org MRSC is a nonprofit, independent organization created in 1969 to continue programs established in 1934 under the Bureau of Governmental Research at the University of Washington. One of the principal services of MRSC is to respond to inquiries on virtually every facet of local government.

City Council Protocol Manual:

Councilmember Grace-Matsui:

1. Bring back 26a - second reading of all ordinance changes (undecided).
2. Adjournment 8.06 Order of Business – Regular Meetings. "No meeting shall be permitted to continue beyond 9:00 p.m. without approval of three fourths of the Councilmembers who are present and eligible to vote...." I propose this rule be changed to read "...beyond 10:00pm" (undecided).
3. Executive Session 8.06 Order of Business – Regular Meetings. I propose we add a section on how to extend an Executive session. According to MSRC, the "If the executive session runs long, the presiding officer must come back to the location of the regular meeting and announce the new time the open session will reconvene." No vote is needed, three other councilmembers don't need to accompany the Mayor back to the dais. (Included in new draft).
4. The Code of Conduct and Ethics Code are repeated, but what about other City standards that apply to Councilors? I'm thinking Weapons policy, Equal Opportunity/nondiscrimination policies, Drug and Alcohol Free workplace policies, etc
**Note from KC: I am visiting with Tim about this. Technically Councilmembers are not employees--- so we are looking into appropriate way to include these standards if Council wished to. (Staff review).*

Mayor Buxton:

5. Add Vision/Mission/Values to the Forward. (Included in new draft).
6. Recommend eliminate automatic ending time *(also recommended by Grace-Matsui, see #2)* (Undecided).
7. 2.08.A.6 – DMMC needs to be reflected to show that Councilmembers shall not serve on appointed City Advisory Bodies. (Will be addressed with future code updates).
8. 5.03.B – Not practical in real life. Recommend the following:

B. The following disclaimer shall be included in ~~whole or referenced with a link to the disclaimers~~ for all

communications initiated by Councilmembers in open forums; "The following is my view alone and may not represent the views of the Staff or City Council (link)." And the following shall be referenced via a link to a statement posted on the City's website:

1. The link shall include the statement above in the third person, as well as the following:
 - o Responses to this communication by other Councilmembers may be limited by the provisions of the Open Public Meetings Act under which a policy discussion or other action taken must be held in an open public meeting if a quorum of the Council participates.
 - o Comments posted in response to a Councilmember-initiated communication may be subject to public disclosure under chapter 42.56 RCW, the Public Records Act.
9. Update 5.07.A, B, and C Recommend:
 - o A. If a Councilmember receives a communication from a member of the community conveying a concern, complaint, or administrative issue, the Councilmember shall **cc the City Manager in their response. It will be up to the City Manager's discretion as to further dissemination of the information,** and the Councilmember may request to be informed of actions or response to the email.
 - o **A. If a Councilmember wishes to respond to a communication that has been addressed to the entire Council, they shall cc the City Manager in their response in order to eliminate redundancy and create accountability. It will be up to the City Manager as to the further dissemination of the information.**
 - o Eliminate B.
10. 8.08.F – Clarify procedure for remote attendance to Council meetings – remote participant should not preside. Recommend:
 - o (paragraph 3) "In the event that the Mayor or Chair seeks to attend a meeting remotely, they shall notify the Deputy Mayor/Vice Chair, and the Deputy Mayor/Vice Chair shall preside over the meeting."
 - o Unanticipated events do not include; vacations/travel, meetings unconnected with City Council, and ??

Councilmember Mahoney:

11. 4.02 Add C – Any expenses exceeding \$1000 for any councilmember in a calendar year must be approved by the council majority prior to any additional expenses incurred. Failure to Follow this stipulation will require councilmember to be responsible for all additional expenses. The City Manager has the authority to pause any requests outside the normal expenses and bring before the council for approval.
12. 5.07 C Add 5 – Any email received under city email addresses whether as council as a whole or individual must allow time for staff to respond. To ensure transparency any councilmember

responding must use city email for all responses, no personal email can be used as a substitute. Any email using personal email with any official city designation or associated with a campaign address i.e. identity as a councilmember possibly giving the inference of a response in any official capacity is not permitted, any such email should they occur must be forwarded to City Clerk so full transparency is established.

13. 7.06 3rd paragraph – add “shall request or direct the City Manager, Department Directors, Staff or outside entity to initiate any action or prepare any report...”

14. 7.08 End of First Paragraph, add sentence. “Councilmember interactions with staff , including the City Manager, shall be in a respectful and professional manner at all times.”

Councilmember Harris:

15. 2.08 A.4 "Standing committees of the Council are open public meetings.

(amend) "All committee meetings shall be noticed to the public, video recorded, and available to the public for viewing..."

16. 2.08 A.6 "Councilmembers may be appointed or removed by the Mayor." Propose to remove.

17. 2.08 "However, at the discretion of the Mayor, Councilmembers may be appointed as liaison to one or more Council-established Citizen Advisory Bodies or other Community agencies/organizations. In their capacity as a Council liaison," Propose removing this- No more 'liaisons'.

18. 4.03 Strike. It's already a state requirement.

19. 5.01 Strike first paragraph "Perhaps the most fundamental role of a Councilmember is communication..." Actually, the fundamental role of a Councilmember is "Passing a budget and hiring/firing the City Manager." One might add legislation and oversight.

20. 5.04 Strike first paragraph "To promote a favorable image of the City..."

21. 5.04 C. Strike second sentence "On behalf of the City Council, the Mayor or designated Councilmember..." Propose: The City Manager (or their designated comms) should be the sole voice of the government to the community (residents).

22. 5.07 C.4.a (amend) E-mail between Councilmembers, and Councilmembers and staff shall not be transmitted to the public or news media unless a public disclosure request has first been filed with the **Public Records Officer**.

23. 7.04 Second para (amend) "It is important to note that the City Attorney does not represent, or advise, individual members of Council, but rather the City Council as a whole." However, individual members of the Council may ask the City Attorney questions concerning issues of interest to the entire Council. *(Note from KC: My understanding is this is already addressed in the RCW's—will see if additional clarity is needed)*

24. 8.05 -- see below. Strike the word 'standing'.

25. 8.06 L 1 New Agenda Items for Consideration (amend) "A presenter should come to the dais prepared with research, be afforded time for a brief presentation, and then offer a specific, concise request."

26. 9.03 (see below) (amend) "The City Attorney shall assist and serve the Council as an advisor for interpreting the City Council's adopted Protocol Manual.

27. 7.02 re-instate City Manager mid-year performance review should be the same process as the end of year review. *(note from KC: this is also in my contract—quarterly reviews. This was added by the City)*

28. 8.06K Ordinances. Re-instate second reading. Do *not* add a Rule 26b. If there is a real need we can suspend that with 11.05. *(similar to what recommended by Councilmember Grace-Matsui)*

29. 9.01 "If needed, an Ad Hoc committee may be appointed by the Mayor for the purpose of review and advice to the Council." Recommend removal.

30. 11.04 A. (2x rule) Strike second sentence.

31. 11.04 D. (Donating time) Strike. Cms *should* be able to donate time.

32. 12.02 Strike. Until we are members, they are not an official resource.

CITY COUNCIL PROTOCOL MANUAL REVIEW

JUNE 05, 2025



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5. Add Vision/Mission/Values to the Forward (Included in new draft).
6. Recommend eliminate automatic ending time (also recommended by Grace-Matsui, see #2) (Undecided).
7. 2.08.A.6 – DMMC needs to be reflected to show that Councilmembers shall not serve on appointed City Advisory Bodies. (Will be addressed with future Code updates).
8. 5.03.B – Not practical in real life. Recommend: “The following is my opinion alone and may or may not reflect that of City of Des Moines Staff or my colleagues.” The rest can stay as information for the reader without the need to post.



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