

AGENDA

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

March 13, 2014 – 7:00 p.m.

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

CORRESPONDENCE

COMMENTS FROM THE PUBLIC

BOARD AND COMMITTEE REPORTS/COUNCILMEMBER COMMENTS

PRESIDING OFFICER'S REPORT

ADMINISTRATION REPORT

Item 1: DR. SUSAN ENFIELD, HIGHLINE PUBLIC SCHOOLS SUPERINTENDENT

Item 2: K-FIT UPDATE

CONSENT AGENDA

Page 1 Item 1: APPROVAL OF MINUTES
Motion is to approve the minutes of the February 20, 2014 and March 6, 2014 regular City Council meetings.

Page 9 Item 2: APPROVAL OF VOUCHERS
Motion is to approve for payment vouchers and payroll transfers included in the attached list and further described as follows:
Claim Checks: \$1,293,154.30
Payroll Fund Transfers: \$843,367.01
Total Certified Wire Transfers, Voids, A/P and Payroll Vouchers: \$2,136,521.31

Page 11 Item 3: TRANSPORTATION GATEWAY PROJECT S. 216TH STREET SEGMENT 1-A: CONSULTANT AGREEMENT SUPPLEMENT FOR REVISING PROJECT LIMITS; AND PROCEEDING WITH RIGHT OF WAY ACQUISITION
Motion is to approve Supplement #11 with KPG Consulting Engineering, Inc. for engineering and right of way services necessary for South 216th Street Improvements, Segment 1-A (24th Avenue South to Pacific Highway South) in the amount of \$279,532.71, bringing the total Agreement amount to \$3,837,474.57, and further authorize the City Manager to sign the contract supplement substantially in the form as submitted.

EXECUTIVE SESSION

The purpose of the Executive Session is to discuss labor negotiations under RCW 42.30.140(4)(a). The Executive Session is expected to last 15 minutes.

PUBLIC HEARING/CONTINUED PUBLIC HEARING

Page 83 Item 1: DRAFT ORDINANCE 13-279, MODIFICATION OF PARKING PROVISIONS

Staff Presentation: Economic Development Manager Marion Yoshino &
Planning, Building and Public Works Director Dan Brewer

NEXT MEETING DATE

March 27, 2014 Regular City Council Meeting

ADJOURNMENT

1
MINUTES

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

February 20, 2014 – 7:00 p.m.

CALL TO ORDER

Mayor Kaplan called the meeting to order at 7:01 p.m.

PLEDGE OF ALLEGIANCE

The flag salute was led by Mayor Pro Tem Pina.

ROLL CALL

Council present: Mayor Dave Kaplan; Mayor Pro Tem Matt Pina; Councilmembers Jeremy Nutting, Jeanette Burrage, Bob Sheckler and Vic Pennington.

Councilmember Musser was absent. Mayor Pro Tem Pina moved to excuse Councilmember Musser; seconded by Councilmember Nutting.
The motion passed 6-0.

Staff present: City Manager Tony Piasecki; City Attorney Pat Bosmans; Management Consultant Grant Fredricks; Planning Building and Public Works Director Dan Brewer; City Clerk Bonnie Wilkins.

CORRESPONDENCE

There were no correspondences.

COMMENTS FROM THE PUBLIC

There were no comments from the public.

BOARD AND COMMITTEE REPORTS/COUNCILMEMBER COMMENTS

Councilmember Pennington:
No Report.

Councilmember Sheckler:
No Report.

Councilmember Burrage:
No Report

Councilmember Pina:

- Finance & Economic Development Committee:
 - Business Attraction Plan.
 - Envision Midway Project.

Councilmember Nutting:

- Poverty Bay Wine Festival February 28-March 2.
- Sonju Community Garden having a work party March 22, 10:00 to noon:
 - Soil and seeds available.
 - Plots available for adoption.
- Art Around Town:
 - 2014 Art being chosen.

PRESIDING OFFICER'S REPORT

- Meeting with King County Councilmember Dave Upthegrove:
 - Sound Transit Board.

ADMINISTRATION REPORT

CONSENT AGENDA

- Item 1: AUTHORIZATION TO EXECUTE CONTRACT WITH LIFE INSURANCE OF NORTH AMERICA (CIGNA) FOR BASIC LIFE & SURVIVOR, BASIC AD&D AND LONG TERM DISABILITY BENEFITS
Motion is to authorize procurement of Basic Life & Survivor Life, Basic AD&D and Long Term Disability through Life Insurance North America (CIGNA) for the City of Des Moines employees and to authorize the City Manger to sign the Policies substantially in the form as attached.
- Item 2: 2014 JOINT HUMAN SERVICES APPLICATION AND FUNDING PROGRAM
Motion is to approve Exhibit A for 2014 Des Moines' planning, funding and implementation of a joint human services application and funding program as provided in the 2003 Memorandum of Understanding for the joint Human Services Funding Program between the Cities of Auburn, Burien, Covington, Des Moines, Federal Way, Renton, SeaTac, and Tukwila (Attachment 2), substantially in the form as submitted.
- Item 3: MEMORANDUM OF UNDERSTANDING WITH THE DES MOINES POLICE GUILD REGARDING DENTAL INSURANCE
Motion is to approve the memorandum of understanding with the Des Moines Police Guild regarding dental insurance coverage for 2014.

Direction/Action

Motion made by Councilmember Pennington to approve the consent agenda; seconded by Mayor Pro Tem Pina.
The motion passed 6-0.

PUBLIC HEARING/CONTINUED PUBLIC HEARING

- Item 1: DES MOINES CREEK BUSINESS PARK AMENDED AND RESTATED SECOND DEVELOPMENT AGREEMENT AND PANATTONI MASTER PLAN FILE NUMBER LUA2013-0036
Staff Presentation: Planning, Building and Public Works Director
Dan Brewer

Mayor Kaplan opened the Public Hearing at 7:06 p.m.

Planning, Building and Public Works Director Brewer began the presentation with a brief introduction of the Des Moines Creek Business Park Development Agreement.

Management Consultant Grant Fredricks gave a power point presentation on the Des Moines Creek Business Park Development Agreement.

Mayor Kaplan called Bart Brynestad, 6840 Fort Dent Way, Seattle. Gave a brief overview of Panattoni Development and spoke in favor of the project.

Mayor Kaplan asked 3 times if anyone else wished to speak; seeing none Mayor Kaplan asked Council if they had any questions.

Seeing none Mayor Kaplan closed the public hearing at 7:27 p.m.

Direction/Action

Motion made by Councilmember Sheckler to approve Draft Resolution 14-013 authorizing the City Manager to sign the Amended and Restated Second Development Agreement with the Port of Seattle regarding the development of the Des Moines Creek Business Park substantially in the form as submitted and approving the Master Plan for the proposed Panattoni project, Areas 1 and 2, filed with the Des Moines Planning, Building and Public Works Department under file number LUA2013-0036 subject to conditions set forth in Resolution 14-013; seconded by Mayor Pro Tem Pina.
The motion passed 6-0.

NEXT MEETING DATE

March 6, 2014, Regular City Council Meeting

ADJOURNMENT

Motion made by Councilmember Nutting to adjourn; seconded by Councilmember Sheckler.
The motion passed 6-0.

The meeting was adjourned at 7:34 p.m.

Respectfully Submitted,
Bonnie Wilkins
City Clerk

5
MINUTES

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

March 6, 2014 – 7:00 p.m.

CALL TO ORDER

Mayor Kaplan called the meeting to order at 7:00 p.m.

PLEDGE OF ALLEGIANCE

The flag salute was led by Councilmember Nutting.

ROLL CALL

Council present: Mayor Dave Kaplan; Mayor Pro Tem Matt Pina; Councilmembers Jeremy Nutting, Jeanette Burrage, Bob Sheckler and Vic Pennington.

Councilmember Musser was absent. Mayor Pro Tem Pina moved to excuse Councilmember Musser; seconded by Councilmember Burrage.
The motion passed 6-0.

Staff present: City Manager Tony Piasecki; Assistant City Attorney Tim George; Police Chief George Delgado; Harbormaster Joe Dusenbury; City Clerk Bonnie Wilkins.

CORRESPONDENCE

There were no correspondences.

COMMENTS FROM THE PUBLIC

Florence McMullin thanked City Manager Piasecki for speaking at Wesley Gardens last week. Wesley Gardens enjoyed hosting him and hopes to see more City Officials in the future.

BOARD AND COMMITTEE REPORTS/COUNCILMEMBER COMMENTS

Councilmember Pennington:

- Public Safety & Transportation Meeting:
 - Update on Police Volunteer Program.
 - Business Watch Safe Cities Program.
 - Proposed Noise Ordinance:
 - Chronic Nuisance Properties.

Motion made by Councilmember Pennington to remand the Chronic Nuisance Properties Ordinance to the Public Safety & Transportation Committee for further review; seconded by Mayor Pro Tem Pina.

The motion passed 6-0.

- 216th Project Update:
 - Ribbon Cutting in April.
- 24th Avenue Project Update.

Councilmember Sheckler:

- No Report

Councilmember Burrage:

- No Report

Councilmember Pina:

- Attended the Poverty Bay Wine Festival:
 - Great Event.
 - Nice Turnout.
 - Thanked Rotary.

Councilmember Nutting:

- Attended the Poverty Bay Wine Festival:
 - Thanked Vince Koester for all the great food.
 - Enjoyed music from Uncle Ernie.
- North Hill PTSA Bingo Night.
- Des Moines Legacy Foundation – Sports Night, March 21st.
- Sonju Community Garden Seed Planting, March 22nd.

PRESIDING OFFICER'S REPORT

- Congratulated the Highline Thunderbird Men's Basketball Team which placed 3rd in the Northwest Community College Tournament.

ADMINISTRATION REPORT

Item 1: EMERGING ISSUES

- Tree at Big Catch Plaza; replacing within next 2 weeks.
- Tree in Beach Park Promontory to be removed as it is dead.
- Starting Assistant City Manager position recruitment.
- Starting Human Resource Management position recruitment.
- Spoke at Wesley Homes last week, had a great time and thanked them for their hospitality.

Item 2: DES MOINES EMERGENCY MANAGEMENT PLANNING UPDATE
Police Chief Delgado gave a power point presentation to Council.

CONSENT AGENDA

Item 1: APPROVAL OF MINUTES

Motion is to approve the minutes from the January 9, 2014, January 30, 2014 and February 13, 2014 Regular City Council meetings.

Item 2: SETTING PUBLIC HEARING DATE FOR DRAFT ORDINANCE 14-011,
MODIFICATION OF ZONING REQUIREMENTS REGULATING COMMERCIAL
SPACE REQUIREMENTS IN THE MARINA DISTRICT.

Motion is to adopt Draft Resolution No. 14-011 to set a public hearing on April 10, 2014 to consider Draft Ordinance No. 14-011 amending DMMC 18.115.050(9),
"Environmental performance standards, use restrictions, and general limitations."

Item 3: 2014 DES MOINES DOLLARS FOR SCHOLARS SCHOLARSHIP RECEPTION
Motion is to adopt Draft Resolution 14-022, authorizing the use of the Des Moines Activity Center by Des Moines Dollars for Scholars for its 2014 Scholarship Reception, taking place on May 7, 2014; and, to direct the City Manager to execute the Agreement between the City of Des Moines and Des Moines Dollars for Scholars, substantially in the form as attached.

Direction/Action

Motion made by Mayor Pro Tem Pina to approve the consent agenda; seconded by Councilmember Nutting.

The motion passed 6-0.

At 7:41 p.m. Council went into Executive Session. The purpose of the Executive Session was to discuss labor negotiations under RCW 42.30.140(4)(a). In attendance were Mayor Kaplan; Mayor Pro Tem Pina; Councilmembers Nutting, Burrage, Sheckler and Pennington. Staff Present were City Manager Piasecki and Assistant City Manager Ericson. Councilmember Sheckler joined the meeting at 7:42 p.m. At 8:00 p.m. Mayor Kaplan extended the Executive Session an additional 10 minutes. At 8:10 p.m. Mayor Kaplan extended the Executive Session an additional 10 minutes. At 8:20 p.m. Mayor Kaplan extended the Executive Session an additional 10 minutes. The Executive Meeting concluded at 8:29 p.m.

At 8:30 p.m. Councilmember Sheckler left the meeting.

At 8:31 p.m. the Regular Council meeting resumed.

NEW BUSINESS

Item 1:

UPDATE ON MARINA FINANCIAL FORECASTS FOR OPERATIONS AND THE CAPITAL IMPROVEMENT PROGRAM

Staff Presentation: Harbormaster Joe Dusenbury

Harbormaster Dusenbury gave a power point presentation to Council on the financial forecasts of the Marina.

NEXT MEETING DATE

March 13, 2014, Regular City Council Meeting

ADJOURNMENT

Motion made by Mayor Pro Tem Pina to adjourn; seconded by Councilmember Nutting. The motion passed 5-0.

The meeting was adjourned at 9:15 p.m.

Respectfully Submitted,
Bonnie Wilkins
City Clerk

CITY OF DES MOINES
Voucher Certification Approval

13-Mar-14

Auditing Officer Certification

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

As of March 13, 2014 the Des Moines City Council, by unanimous vote, does approve for payment those vouchers and payroll transfers included in the attached list and further described as follows:

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

Claims Vouchers:		Numbers				Amounts
Total A/P Checks/Vouchers		138599	-	138888	290	1,255,842.81
Electronic Wire Transfers	4	WA DEPT LIC/FIREARMS, DEPT OF REVENUE, BOA VISA				37,862.69
Subtotal for this Council Packet						1,293,705.50
Voided Claim Checks this check run:		138721/138689			2	(351.20)
Voided Claim Checks from previous check runs		138487			1	(200.00)
Total Claims/Wire Transfers/Voids					297	1,293,154.30
Payroll Vouchers:		DISBURSED 02/20/14				Amounts
Payroll Checks		18424	-	18432	= 9	11,927.17
Direct Deposit		80001	-	80142	= 142	258,377.40
Payroll Taxes						55,177.96
Wage/Garnishments						1,066.91
Voids					0	0.00
Electronic Wire Transfers						82,895.19
ICMA 401 Forfeitures						0.00
Total Claims						409,444.63
Payroll Vouchers:		DISBURSED 03/05/14				Amounts
Payroll Checks		18433	-	18442	= 10	12,395.03
Direct Deposit		100001	-	100150	= 150	271,773.74
Payroll Taxes						59,394.19
Wage/Garnishments						1,066.91
Voids					0	0.00
Electronic Wire Transfers						89,292.51
ICMA 401 Forfeitures						0.00
Total Claims						433,922.38
Total certified Wire Transfers,Voids, A/P & Payroll vouchers for March 13, 2014						2,136,521.31

A G E N D A I T E M

BUSINESS OF THE CITY COUNCIL City of Des Moines, WA

SUBJECT: Transportation Gateway Project
S. 216th Street Segment 1-A: Consultant
Agreement Supplement for Revising
Project Limits; and Proceeding with Right
of Way Acquisition

FOR AGENDA OF: March 13, 2014

DEPT. OF ORIGIN:

DATE SUBMITTED: March 5, 2014

ATTACHMENTS:

1. KPG Agreement; Supplement # 11
2. Council Agenda, Transportation Gateway,
Design Report Discussion; 10/22/09;
3. Council Agenda: S. 216th Street, Segment
1-A, ROW Plan, 2/14/13
4. S. 216th St Segment 1-A and Segment 1-B
Proposed Project Limits
5. 2014-2019 CIP Budget: S. 216th Street
Segment 1-A

CLEARANCES:

- [X] Legal 
- [X] Finance 
- [] Marina _____
- [] Parks, Recreation & Senior Services _____
- [X] Planning, Building & Public Works DJB
- [] Police _____
- [] Courts _____

APPROVED BY CITY MANAGER
FOR SUBMITTAL: 

Purpose and Recommendation

The purpose of this report is to seek City Council approval of a Consultant Agreement Supplement with KPG, Inc. for the Transportation Gateway Project. (Attachment 1) The Supplement would modify the project limits for S. 216th Street Segment 1-A and Segment 1-B to Pacific Highway S. (rather than 29th Avenue S.). This will allow the City to move segment 1-A to the construction phase sooner, as decisions regarding Segment 1-B are dependent on the construction of SR 509. The Supplement also provides for completing right-of-way acquisition along the north side of S. 216th Street, followed by acquisition on the south side of S. 216th Street as funds become available. The Consultant will not be given notice to proceed on the preparation of final bid documents until the majority of construction financing is secured.

Suggested Motion

"I move to approve Supplement #11 with KPG Consulting Engineers, Inc. for engineering and right of way services necessary for South 216th Street Improvements, Segment 1-A (24th Avenue South to Pacific Highway South) in the amount of \$279,532.71, bringing the total Agreement amount to \$3,837,474.57, and further authorize the City Manager to sign the contract supplement substantially in the form as submitted."

Background

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

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

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

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

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

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

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

On August 30, 2012, the City Council approved Supplements #7 and #8. Supplement No. 7 provided for the preparation of the final right-of-way plans and the Preliminary Funding Estimate (PFE) for Segment 1a (24th Avenue South to 29th Avenue South) that is required as part of our right-of-way acquisition procedures. Supplement No. 8 provided for the preparation of the legal description, sub-surface environmental analysis (Level 1), appraisals, and other work necessary to complete the acquisition of Project Parcel 48, within the project limits of Segment 1a. Supplement #7 added

\$29,858.69, and Supplement #8 added \$39,125.77 to the Agreement, bringing the total Agreement at that time to \$2,309,905.40.

On November 29, 2012 the City Council approved KPG Supplement #9 in the amount of \$559,953.60 to provide construction management services for the S. 216th Street Segment #2 project bringing the total agreement to \$2,869,859. The \$5.2 million dollar construction project is substantially complete, on time and within budget.

On August 8, 2013 Supplement #10 in the amount of \$688,091.86 was approved by the City Council authorizing KPG to provide construction management services for 24th Avenue South improvements. This supplement brought the total contract amount to \$3,577,950.85. The construction contract is underway and on schedule to be completed in 2014. The consultant has met several challenges with this project including coordination with utilities and the pending Port of Seattle development as well as working with the Contractor to remove a significant quantity of unforeseen, unsuitable soils associated with roadway excavation.

Design of the proposed improvements for S. 216th Street Segment 1-A is currently 85% complete and the City Council adopted the right of way plan for this project on February 14, 2013 (refer to Attachment 3). Right of way activities are underway including negotiations with the owner of parcel 48 located at the NW corner of SR99 and S. 216th Street.

Discussion

The Des Moines Public Safety and Transportation (PS&T) Committee, on February 6, 2014 endorsed the concept of adjusting the project limits to allow the City to most expeditiously advance the S. 216th Street, Segment 1-A project by reducing right of way and construction costs and minimizing potential risks associated with right of way acquisition of a motel and former gas station east of SR99. The concept entails eliminating the Segment 1-A lane transitions east of SR99 to 29th Avenue South and deferring those improvements to the full build out of S. 216th Street Segment 1-B (refer to Attachment #4). Currently South 216th Street Segment 1-B is addressed in the project Design Report, 2009, and identified for design and construction in the future as more information is available with regard to the SR-509 future project and SeaTac's future plans for their portion of South 216th Street.

The scope of work and budget required to modify the plans and make South 216th Street Segment 1-A competitive for grant funding and construction are contained in KPG Supplement #11 (Attachment 1). Modifying the design requires some coordination with WSDOT regarding changes to the SR-99 intersection. Utility and right of way coordination was deferred when the City decided to focus its efforts on completing 24th Avenue South and South 216th Street, Segment #2. The City will need to request that utilities update and finish the plans to full construction detail and eliminate conflicts with planned improvements. Coordination will also be necessary with landowners during ROW negotiations. The plans will be modified to adjust lane striping and channelization including converting the right lane from a thru and right turn lane to a right turn only lane. The EB to WB U-turn lane will be retained.

The PS&T Committee agreed with a strategy to finish acquiring properties on the north side of South 216th Street. Negotiations to acquire property on the South side of South 216th Street will be authorized as funding becomes available (Task 6, Attachment 1). Finalization of plans and preparation of bid documents (100%) will be authorized as construction funding is secured (Task 7, Attachment 1). Staff, with consultant support, plans to aggressively prepare the project for construction and seek funding from a variety of Federal, State and Local funding sources including the Federal Highway Administration,

Washington State Freight Strategic Investment Board, Public Works Trust Fund and private development agreements.

The City completed extensive technical studies on this project supporting a SEPA DNS and a NEPA Documented Categorical Exclusion on the project. Given that this is a reduction in scope for Segment 1A, it is not anticipated that additional environmental work will be required to modify the plans.

Alternatives

The principal alternative would be to retain South 216th Street Segment 1-A lane transitions to 29th Avenue S. There is a minor amount of vehicle capacity that would be impacted by deferring this transition; however, most of the constraint lies in the capacity limits posed by the I-5 bridge overpass. Staff plans to explore these capacity constraints and the timing and/or need for these improvements, as part of the Transportation Plan update, 2015.

Financial Impact

The overall costs of the South 216th Street Segment 1-A improvements are estimated at \$8.2 million based as noted in the 2014-2019 CIP (refer to Attachment 5). It is anticipated that the reduction in scope should contain or reduce these costs by \$600 to \$1 million. As previously mentioned, the reduction in scope will also reduce the risk of incurring even higher costs that might be associated with the risk of business relocation (motel) and/or removal of environmentally contaminated soils (former gas station).

There is adequate budget in the CIP to fund the KPG Supplemental Agreement #11. Negotiations for ROW are still underway using the budget carry forward planned for these activities. It is also anticipated that unspent project contingency from the South 216th Street, Segment 2 project will be available to further supplement the ROW activities including possible grant matching funds. Right of way procurement will be managed at a task level and it is estimated that there are adequate funds to clear title to right of way on the north side of South 216th Street. Acquisition of the remaining right of way south of South 216th Street will progress as funding becomes available.

Recommendation or Conclusion

Staff also recommends approval of Supplement #11 with KPG for Engineering and ROW Services.

Concurrence

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



**Washington State
Department of Transportation**

Supplemental Agreement Number <u>11</u>		Organization and Address KPG 753 9th Avenue North Seattle, WA 98199	
Original Agreement Number		Phone: 206-286-1640	
Project Number	Execution Date 3/26/2009	Completion Date 12/31/2014	
Project Title Transportation Gateway Project	New Maximum Amount Payable \$ 3,837,474.57		
Description of Work Design and Right of Way Services for: City of Des Moines Transportation Gateway Project - 24th Avenue South			

The Local Agency of the City of Des Moines

desires to supplement the agreement entered into with KPG

and executed on 3/26/2009 and identified as Agreement No. _____

All provisions in the basic agreement remain in effect except as expressly modified by this supplement.

The changes to the agreement are described as follows:

I

Section 1, SCOPE OF WORK, is hereby changed to read:

Provide Design and Right of Way Services in accordance with Exhibit A.

II

Section IV, TIME FOR BEGINNING AND COMPLETION, is amended to change the number of calendar days for completion of the work to read: Time for completion shall be December 31st, 2014.

III

Section V, PAYMENT, shall be amended as follows:

Cost for this work shall not exceed \$279,523.71, as shown on Exhibit E without authorization from the City.

as set forth in the attached Exhibit A, and by this reference made a part of this supplement.

If you concur with this supplement and agree to the changes as stated above, please sign in the appropriate spaces below and return to this office for final action.

By: Nelson Davis, KPG

By: City of Des Moines

Consultant Signature

Approving Authority Signature

EXHIBIT A**City of Des Moines****Transportation Gateway Project****Scope, Hour and Fee Estimate****February 25, 2014****Supplement 11 – South 216th Street – Segment 1A****Design Finalization and Right of Way Services**

PROJECT DESCRIPTION

This work shall consist of providing right of way calculations, engineering, appraisals and Right-of-Way acquisition services for the City of Des Moines (“City”) to advance Right-of-Way acquisition for the Des Moines Gateway Project South 216th Street – Segment 1A. The Segment 1A limits will be revised to eliminate improvements to the east of Pacific Highway South, which provides significant savings in right of way costs with minimal impact on project effectiveness. Work shall include:

- Design revisions necessary to modify Segment 1A limits;
- Revise the PFE and Segment 1A Right of Way Plans;
- Right of Way calculations for preparation of legal descriptions on parcels 17/18, 19, 49, and 50;
- Preparation of appraisals for parcels 17/18, 19, 49, and 50;
- Acquisition Services for parcels 49 and 50 to complete Segment 1A acquisition on north side of S 216th Street as well as a task for Parcels 17/18 & 19 based upon budget and notice to proceed.
- Bid ready document preparation upon construction funding and notice to proceed.

SCOPE OF WORK**TASK 1 – MANAGEMENT/COORDINATION/ADMINISTRATION**

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

- 1.3 The Consultant shall assist the City with grant applications that may become available for right of way, final bid documents, and/or construction. An allowance of \$5,000 is included in the budget for grant funding support.

TASK 2 – SURVEY & MAPPING

- 2.1 The Consultant shall obtain title report and perform title review to determine and locate parcel 17/18 (Majestic Bay) property lines and underlying easements. Updated title reports for parcels 19, 49, and 50 will be obtained and reviewed for any changes.
- 2.2 The Consultant shall prepare a legal description and exhibit for the parcel fee takes and any easements identified on Parcels 17/18, 19, 49, and 50.
- 2.3 The Consultant shall update and finalize right of way plans for the revised Phase 1A project limits.
- 2.3 The Consultant shall provide survey base mapping as needed to support site improvements related to property negotiations.

TASK 3 – DESIGN & ENGINEERING

- 3.1 The Consultant shall perform redesign of roadway and channelization to eliminate the need for Phase 1A improvements to the east side of Pacific Highway South. A plan view draft will be provided to the City for review and comment. The traffic study will be updated if deemed necessary by the City.
- 3.2 The Consultant shall incorporate City comments and update Channelization Plans for submittal to WSDOT and provide coordination for approval. It is assumed for budget purposes that up to two (2) rounds of comments will be provided by WSDOT.
- 3.3 The Consultant shall submit via email .pdf revised plans showing the new phase 1A limits for finalization of the joint utility design by franchise utilities. Coordination shall include one (1) meeting with franchise utilities and review and comment of their proposed designs to ensure compatibility with City improvements.
- 3.4 The Consultant shall update joint utility trench plans based on designs provided by Franchise utility owners.
- 3.5 The Consultant shall revise the 85% Plans per the ROW plan, channelization, and utility modifications described herein for City review and approval. The Plans shall assume federal construction funding participation. Structural detailing of walls and urban design elements and

preparation of specifications will not be completed with this task, but will be completed upon authorization of Task 7.

- 3.6 The Consultant shall update quantities and unit prices to develop a construction cost estimate for use by the City in future grant applications.

TASK 4 – RIGHT OF WAY APPRAISALS

- 4.1 The Consultant shall prepare appraisals in accordance with WSDOT requirements for parcels 17/18, 19, 49, and 50. Appraisals will be performed by Valbridge under subcontract to the Consultant in accordance with the scope of work included as Attachment A.
- 4.2 The Consultant shall prepare review appraisals in accordance with WSDOT requirements. Review Appraisals will be performed by Joe Grainger under subcontract to the Consultant.
- 4.3 Provide engineering support and cost to cure for parking layout modifications to the appraised parcels as a result of the proposed improvements.
- 4.4 The Consultant shall support City staff in preparation for Executive Session briefing on the appraised property values.

TASK 5 – RIGHT OF WAY ACQUISITION - NORTH

- 5.1 Acquisition Services for Parcels 49 and 50 will be performed by ROW Group, LLC under subcontract to the Consultant. The Consultant shall provide acquisition, negotiation, title review, and clearance/closing services as presented in Attachment B.

TASK 6 – RIGHT OF WAY ACQUISITION - SOUTH

- 6.1 Acquisition Services for Parcels 17/18 and 19 will be performed by ROW Group, LLC under subcontract to the Consultant. The Consultant shall provide acquisition, negotiation, title review, and clearance/closing services as presented in Attachment C. Task 6 requires separate authorization and notice to proceed from the City and is contingent on available budget and/or outside grant funding.

TASK 7 – FINALIZE BID DOCUMENTS

Prepare bid ready documents contingent upon clearing right of way, construction funding, and separate notice to proceed from the City. Work shall include:

- 7.1 Consultant shall prepare 100% Plans for review by the City and WSDOT.

- 7.2 The Consultant shall prepare 100% Specifications in accordance with funding requirements for review by the City and WSDOT.
- 7.3 The Consultant shall prepare 100% cost estimate for construction.
- 7.4 The Consultant shall incorporate comments received and finalize Bid Documents. Documents will be uploaded to bxwa.com for advertisement. Five (5) hard copies of half size plans and specifications as well as .pdf copies will be provided to the City.
- 7.5 The Consultant shall provide bid period services by responding to bidder inquiries and preparing necessary addendums.
- 7.6 Attend the bid opening and prepare bid tabulation and recommendation for award. The budget assumes a straightforward award process with the award going to the low bidder.



Valbridge
PROPERTY ADVISORS

Allen Brackett Shedd

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Smith Tower

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Seattle, WA 98104
206-209-3016 phone
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valbridge.com

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419 Berkeley Avenue, Suite A
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253-274-0099 phone
425-688-1819 fax
valbridge.com

February 13, 2014

ATTACHMENT A

Mr. Nelson Davis, P.E.
KPG Engineering
753 9th Avenue N.
Seattle, WA 98109

RE: DES MOINES – TRANSPORTATION GATEWAY PROJECT

Dear Mr. Nelson:

As requested, we have reviewed the new parcels and proposed acquisitions associated with the Transportation Gateway Project, located along S. 216th Street, west of International Boulevard. A brief discussion of the parcels and anticipated property impacts is as follows:

Majestic Bay, Parcels 17/18 - Based on our initial review, this appears to be a larger parcel. The westerly parcel is a common area and the easterly parcel is a condominium operated as an apartment building. About five parking stalls along the property's frontage will be removed. We will seek to recapture the stalls onsite, either south of the existing parking area or on the common area lot to the west. A business sign will require relocation. We propose a before and after analysis of the land and impacted site improvements, including a cost-to-cure for parking reconfiguration and sign relocation.

Luria Pacific Northwest (Bartell's), Parcel 19 - Bartell's will lose significant parking, though we hope all or most could be recaptured with a revised parking plan. As discussed, we assume KPG can provide a revised parking plan that will maximize onsite parking and the associated reconfiguration costs, which we will use in our analysis. Our proposal assumes a full before and after appraisal of the land and all improvements, including damages for lost parking, if appropriate. If all or most of the parking can be recaptured onsite, we will appraise only the land, impacted site improvements and parking reconfiguration costs for a reduced fee.

Safeway, Parcel 49 - The only significant impact is the need to relocate the existing Safeway sign. Our estimate includes the cost of a sign consultant to provide a bid for the sign's relocation cost. We propose a before and after

ATTACHMENT A

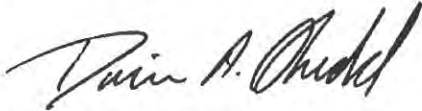
analysis of the land and impacted site improvements, including a cost-to-cure for the sign relocation.

Roger Belanich, Parcel 50 – It is our understanding the drive-thru lane that wraps around the building will remain in the after condition, though temporary closure during construction will be required. We propose a before and after analysis of the land and impacted site improvements.

A detailed cost proposal is contained on the following page. If you have any questions or concerns, do not hesitate to contact us. We look forward to working with you on this project.

Sincerely,

VALBRIDGE PROPERTY ADVISORS | ALLEN BRACKETT SHEDD



Darin A. Shedd, MAI
Senior Managing Director

ATTACHMENT A

City of Des Moines - Transportation Gateway Project

ID	Parcel Number	Owner Name	Comments	Appraisal	Subs**
17/18	215640 0025	Majestic Bay Apartments	This is associated with Parcel 18. Needs sign relocation.	\$ -	\$ 500.00
17/18	858270 0000	Majestic Bay Condos	This is a condo operated like an apartment	\$ 3,500.00	\$ -
19	215640 0301	Luria Pacific Northwest	Fee reflects full building appraisal. If we can complete with a strip appraisal, fee will be reduced to \$4,000. *	\$ 6,000.00	\$ -
49	092204 9080	Safeway, Inc.	Sign relocation necessary	\$ 3,000.00	\$ 500.00
50	092204 9054	Roger Belanich	Drive-thru will be closed temporarily; will remain in after condition	\$ 3,000.00	\$ -
				\$ 15,500.00	\$ 1,000.00
				TOTAL	\$ 16,500.00



ATTACHMENT B

February 14, 2014

SCOPE OF WORK AND COST ESTIMATE:

KPG TASK 5: City of Des Moines Gateway Project / South 216th Street - Phase 1A Right of Way Services

PROJECT OVERVIEW AND SCOPE OF WORK

KPG is the PRIME consultant with ROW Group serving as a sub-consultant on the project for the City of Des Moines. The City of Des Moines project, South 216th Street - Phase 1A, requires a partial acquisition of 2 commercial properties. Properties are identified as 21425 Pacific Highway S, owned by Roger and Susan Balenich, multiple tenant businesses occupy this property, including "Royal Fabric Care Center" (coin laundry and dry cleaning) and 21401 Pacific Highway S, Safeway Inc. It is not anticipated the acquisitions will impact current utilization of the properties.

The project is currently funded with local funds only. State and federal funds are not currently involved in the project, but are expected to be added at some point in the future. To ensure the City's ability to use blended funds for this project, all acquisition activities will follow Federal Highways Administration policies and procedures as well as all applicable federal, state and local laws, including, but not limited to the Uniform Relocation Assistance and Real Property Acquisition Police Act of 1970 and its amendments, 49CFR Part 24, and state Revised Guidelines and by reference the WSDOT Right of Way Manual part 1 and 2.

ROW Group's comprehensive knowledge of the state and federal law and administrative regulation, coupled with our experience on complex projects, enables us to work cooperatively with agency staff to find simple and cost-effective ways to accomplish City's objectives. Priorities will be based on the City's plan schedule, level of impact, acquisition time, and complexities.

Preliminary Right-of-Way Services

TITLE REVIEW, CLEARING AND CLOSING

ROW Group will review Prime or City supplied title reports for all affected parcels and provide Title Review Memos identifying all potential encumbrances to project team members. ROW Group will clear necessary encumbrances prior to closing, if feasible. ROW Group will assist in facilitating in-house closing on low impact parcels or manage closing through escrow should those services become necessary.

Valuation Services

APPRAISAL AND APPRAISAL REVIEW

Appraisal and appraisal review contracts shall be handled directly by the Prime or the City. ROW Group will make recommendations and will work cooperatively with appraisal sub-consultants.

Acquisition Services

RIGHT-OF-WAY DOCUMENTATION, NEGOTIATIONS AND CLOSING

ROW Group will assist the City in developing all right-of-way documents/offer letters in accordance with the City's right-of-way procedures manual for acquisition of impacted properties. ROW Group will draft the acquisition documents using City approved forms or QC any forms that are created directly by City staff for pre-acquisition review by the WSDOT LPA coordinator before any offers are made to property owners.

1913 6th Street, Kirkland, WA 98033 ■ 425.576.0164 ■ www.rowgroup.net



ATTACHMENT B

ROW Group agents will act in good faith at all times and never coerce owners in an attempt to settle the parcels. All negotiations will start with an in-person presentation of all offers when feasible. We will identify property owner issues, concerns and differences early on and document that information in the individual parcel negotiation diaries. ROW Group will work with City staff throughout the negotiation process with the property owner until settlement is reached on each parcel.

RIGHT-OF-WAY CERTIFICATION

ROW Group will assemble the project's final parcel files and draft the supporting certification memo and property interest's summary. ROW Group will maintain constant contact with the local WSDOT LPA coordinator throughout the project, follow the WSDOT LAG manual and Uniform Act guidelines, and use the prescribed right-of-way documents with as little deviation as possible.

Cost Estimate

Payment to ROW Group for its professional services is not dependent upon outcome, the amount or terms of any agreement reached for the property, or on any contractual arrangement between the City and any third party.

Agency agrees to compensate ROW Group for actual professional services rendered as follows:
Our fees for services are calculated based upon the applicable hourly rates for those professional who perform the work-at-hand. The billing rate is \$95.00 per hour for all tasks performed under this agreement. In addition necessary travel time and mileage will be billed at \$0.55 per mile.

NEGOTIATION AND PROJECT MANAGEMENT

Senior Acquisition Agents: 65 hours per parcel x 2	130 hours @ \$95.00 per hour = \$12,350
--	--

TITLE REVIEW AND CLEARANCE / CLOSING

Senior Acquisition Agents: 12 hours per parcel x 2	24 hours @ \$95.00 per hour = \$1,330
--	--

TOTAL ESTIMATED COST:	\$13,680
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KPG Inc.

JKMS LLC, dba ROW Group



ATTACHMENT C

February 14, 2014

SCOPE OF WORK AND COST ESTIMATE:

KPG TASK 6: City of Des Moines Gateway Project / South 216th Street - Phase 1A Right of Way Services

PROJECT OVERVIEW AND SCOPE OF WORK

KPG is the PRIME consultant with ROW Group serving as a sub-consultant on the project for the City of Des Moines. The City of Des Moines project, South 216th Street - Phase 1A, requires a partial acquisition of 2 commercial properties. Properties are identified as King County assessor's tax parcel numbers 215640-0000 and 215640-0025 owned by "Majestic Bay Apartments LLC" and parcel number 2185640-030 owned by "Luria Pacific North West LLC". It is not anticipated the acquisitions will impact current utilization of the properties.

The project is currently funded with local funds only. State and federal funds are not currently involved in the project, but are expected to be added at some point in the future. To ensure the City's ability to use blended funds for this project, all acquisition activities will follow Federal Highways Administration policies and procedures as well as all applicable federal, state and local laws, including, but not limited to the Uniform Relocation Assistance and Real Property Acquisition Police Act of 1970 and its amendments, 49CFR Part 24, and state Revised Guidelines and by reference the WSDOT Right of Way Manual part 1 and 2.

ROW Group's comprehensive knowledge of the state and federal law and administrative regulation, coupled with our experience on complex projects, enables us to work cooperatively with agency staff to find simple and cost-effective ways to accomplish City's objectives. Priorities will be based on the City's plan schedule, level of impact, acquisition time, and complexities.

Preliminary Right-of-Way Services

TITLE REVIEW, CLEARING AND CLOSING

ROW Group will review Prime or City supplied title reports for all affected parcels and provide Title Review Memos identifying all potential encumbrances to project team members. ROW Group will clear necessary encumbrances prior to closing, if feasible. ROW Group will assist in facilitating in-house closing on low impact parcels or manage closing through escrow should those services become necessary.

Valuation Services

APPRAISAL AND APPRAISAL REVIEW

Appraisal and appraisal review contracts shall be handled directly by the Prime or the City. ROW Group will make recommendations and will work cooperatively with appraisal sub-consultants.

Acquisition Services

RIGHT-OF-WAY DOCUMENTATION, NEGOTIATIONS AND CLOSING

ROW Group will assist the City in developing all right-of-way documents/offer letters in accordance with the City's right-of-way procedures manual for acquisition of impacted properties. ROW Group will draft the acquisition documents using City approved forms or QC any forms that are created directly by City staff for pre-acquisition review by the WSDOT LPA coordinator before any offers are made to property owners.

1913 6th Street, Kirkland, WA 98033 ■ 425.576.0164 ■ www.rowgroup.net



ATTACHMENT C

ROW Group agents will act in good faith at all times and never coerce owners in an attempt to settle the parcels. All negotiations will start with an in-person presentation of all offers when feasible. We will identify property owner issues, concerns and differences early on and document that information in the individual parcel negotiation diaries. ROW Group will work with City staff throughout the negotiation process with the property owner until settlement is reached on each parcel.

RIGHT-OF-WAY CERTIFICATION

ROW Group will assemble the project's final parcel files and draft the supporting certification memo and property interest's summary. ROW Group will maintain constant contact with the local WSDOT LPA coordinator throughout the project, follow the WSDOT LAG manual and Uniform Act guidelines, and use the prescribed right-of-way documents with as little deviation as possible.

Cost Estimate

Payment to ROW Group for its professional services is not dependent upon outcome, the amount or terms of any agreement reached for the property, or on any contractual arrangement between the City and any third party.

City agrees to compensate ROW Group for actual professional services rendered as follows:

Our fees for services are calculated based upon the applicable hourly rates for those professional who perform the work-at-hand. The billing rate is \$95.00 per hour for all tasks performed under this agreement. In addition necessary travel time and mileage will be billed at \$0.55 per mile.

NEGOTIATION AND PROJECT MANAGEMENT

Senior Acquisition Agents: 65 hours per parcel x 2	130 hours @ \$95.00 per hour = \$12,350
--	--

TITLE REVIEW AND CLEARANCE / CLOSING

Senior Acquisition Agents: 12 hours per parcel x 2	24 hours @ \$95.00 per hour = \$1,330
--	--

TOTAL ESTIMATED COST:	\$13,680
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KPG Inc.

JKMS LLC, dba ROW Group

FEE SUMMARY



Project: City of Des Moines
Transportation Gateway Project South 216th Street - Segment 1A
Supplement No. 11 - Design Finalization and Right of Way Services

Description	Estimated Fee
Task 1 - Project Management	\$ 10,707.47
Task 2 - Survey and Mapping	\$ 20,751.87
Task 3 - Design & Engineering	\$ 52,629.01
Task 4 - Right of Way Appraisals	\$ 38,174.47
Task 5 - Right of Way Acquisition - North	\$ 21,962.43
Task 6 - Right of Way Acquisition - South	\$ 21,962.43
Task 7 - Finalize Bid Documents	\$ 113,336.01
Total Work Elements: \$ 279,523.71	

HOURLY AND FEE ESTIMATE

Project: City of Des Moines
Transportation Gateway Project South 216th Street - Segment 1A
Supplement No. 11 - Design Finalization and Right of Way Services



Task	Description	Labor Hour Estimate								Total Fee
		*Project Manager	*Senior Engineer	*Project Engineer	*Design Engineer	*CAD Technician	*Survey Crew	*Senior Admin	*Office Admin	Fee
		\$ 183.52	\$ 135.95	\$ 117.83	\$ 101.65	\$ 80.04	\$ 136.68	\$ 98.81	\$ 58.11	
Task 1 - Project Management										
1.1	Project administration (estimate 8 months)	8	0	4	0	0	0	8	16	\$ 3,659.70
1.2	QA/QC reviews	8	4	0	0	0	0	0	0	\$ 2,011.95
1.3	Grant funding assistance	8	4	8	8	12	0	0	4	\$ 4,960.82
	Reimbursable expenses - see breakdown for details									\$ 75.00
	Task Totals	24	8	12	8	12	0	8	20	\$ 10,707.47
Task 2 - Survey and Mapping										
2.1	Title review and basemap update	0	2	12	0	0	4	0	0	\$ 2,232.65
2.2	Legal Description & Exhibits (5 parcels)	0	0	20	10	0	0	0	5	\$ 3,663.77
2.3	Update Phase 1A Right of Way Plans	0	4	24	0	8	0	0	0	\$ 4,012.16
2.4	Site planning support for ROW acquisition	0	10	34	20	20	8	0	0	\$ 10,093.30
	Reimbursable expenses - see breakdown for details									\$ 750.00
	Task Totals	0	16	90	30	28	12	0	5	\$ 20,751.87
Task 3 - Design & Engineering										
3.1	Prepare draft plan update for City review/approval	4	12	40	24	16	0	0	8	\$ 11,264.12
3.2	Prepare and coordinate WSDOT chan plan approval	4	0	16	24	8	0	0	4	\$ 5,931.92
3.3	Utility coordination	8	2	24	16	0	0	0	4	\$ 6,426.98
3.4	Update JUT Plans based on franchise revisions	4	4	24	24	16	0	0	0	\$ 7,826.30
3.5	Update 85% Plans for review and comment	5	10	50	50	30	0	0	0	\$ 15,652.83
3.6	Update Construction Cost Estimate	4	8	16	12	0	0	0	0	\$ 4,926.88
	Reimbursable expenses - see breakdown for details									\$ 600.00
	Task Total	29	36	170	150	70	0	0	16	\$ 52,629.01
Task 4 - Right of Way Appraisals										
4.1	Coordinate Appraisals	4	0	8	0	0	0	4	4	\$ 2,304.41
4.2	Coordinate Review Appraisals	2	0	4	0	0	0	4	2	\$ 1,349.82
4.3	Engineering support / cost estimating	8	0	40	16	8	0	0	0	\$ 8,448.32
4.4	Assistance with executive session	4	0	8	0	4	0	0	0	\$ 1,996.92
	Reimbursable expenses - see breakdown for details									\$ 24,075.00
	Task Total	18	0	60	16	12	0	8	6	\$ 38,174.47
Task 5 - Right of Way Acquisition - North										
5.1	Coordinate Acquisition	16	0	32	0	8	0	4	8	\$ 8,207.43
	Reimbursable expenses - see breakdown for details									\$ 13,755.00
	Task Total	16	0	32	0	8	0	4	8	\$ 21,962.43
Task 6 - Right of Way Acquisition - South										
6.1	Coordinate Acquisition	16	0	32	0	8	0	4	8	\$ 8,207.43
	Reimbursable expenses - see breakdown for details									\$ 13,755.00
	Task Total	16	0	32	0	8	0	4	8	\$ 21,962.43
Task 7 - Finalize Bid Documents										
7.1	Prepare 100% Plans	8	24	100	120	80	0	0	0	\$ 35,116.39
7.2	Prepare 100% Specifications	16	24	60	40	8	0	0	16	\$ 18,905.44
7.3	Prepare 100% Cost Estimate	2	4	12	16	4	0	0	0	\$ 4,271.49
7.4	Finalize bid documents and upload to bxwa.com	8	24	80	60	40	0	0	0	\$ 23,458.69
7.5	Provide bid period services	2	4	8	8	8	0	0	4	\$ 3,539.54
7.6	Prepare bid tab and recommendation for award	4	0	4	4	0	0	0	4	\$ 1,844.47
	Reimbursable expenses - see breakdown for details									\$ 26,200.00
	Task Total	40	80	264	248	140	0	0	24	\$ 113,336.01

Total Work Elements: \$ 279,523.71

* Hourly rates are based on the following:

	Totals								
Direct Salary Costs	\$ 62.50	\$ 46.30	\$ 40.13	\$ 34.62	\$ 27.26	\$ 46.55	\$ 33.65	\$ 20.58	\$ 68,219.77
Overhead Rate				163.63%					\$ 111,628.01
Fixed Fee				30%					\$ 20,465.93

HOUR AND FEE ESTIMATE

EXHIBIT A-1



Project: City of Des Moines
Transportation Gateway Project South 216th Street - Segment 1A
Supplement No. 11 - Design Finalization and Right of Way Services

Reimbursable Breakdown		Cost
Task 1 - Project Management		
Mileage	\$	25.00
Reproduction	\$	50.00
Task 1 - Total	\$	75.00
Task 2 - Survey and Mapping		
Mileage	\$	-
Reproduction	\$	50.00
Title Report for Majestic Bay	\$	700.00
Task 2 - Total	\$	750.00
Task 3 - Design & Engineering		
Mileage	\$	100.00
Reproduction	\$	500.00
Task 3 - Total	\$	600.00
Task 4 - Right of Way Appraisals		
Mileage	\$	25.00
Reproduction	\$	50.00
Valbridge - Appraisals (5)	\$	16,500.00
Review Appraisals (5 @ \$1,500 allowance)	\$	7,500.00
Task 4 - Total	\$	24,075.00
Task 5 - Right of Way Acquisition - North		
Mileage	\$	25.00
Reproduction	\$	50.00
Certified Land Services - ROW Acquisition	\$	13,680.00
Task 5 - Total	\$	13,755.00
Task 6 - Right of Way Acquisition - South		
Mileage	\$	25.00
Reproduction	\$	50.00
Certified Land Services - ROW Acquisition	\$	13,680.00
Task 6 - Total	\$	13,755.00
Task 7 - Finalize Bid Documents		
Mileage	\$	200.00
Reproduction	\$	1,000.00
Structural Engineering allowance	\$	25,000.00
Task 7 - Total	\$	26,200.00
Total Reimbursable Costs:		\$ 79,210.00

A G E N D A I T E M

BUSINESS OF THE CITY COUNCIL City of Des Moines, WA

SUBJECT: Transportation Gateway Project
Preliminary Design Report and Project
Phasing

FOR AGENDA OF: October 22, 2009

DEPT. OF ORIGIN: Planning, Building and
Public Works

DATE SUBMITTED: October 8, 2009

ATTACHMENTS:

CLEARANCES:

1. General Project Schedule & Status
2. Draft Design Report
3. Road, ROW and Channelization plans
4. Public and Technical Comments

[X] Planning, Building & Public Works 

APPROVED BY CITY MANAGER
FOR SUBMITTAL: 

Purpose:

The purpose of this agenda item is to brief the City Council on preliminary design of the Transportation Gateway Project and recommend a phasing strategy in preparation for a motion to approve supplemental agreements advancing the project into final design. Final design includes environmental documentation and permit approvals, final plans and specifications, right-of-way plans, a final cost estimate and a financing strategy. Specifications will be developed to meet federal and state funding requirements. No formal Council action is requested at this time, but general policy direction is welcomed

Background:

The Transportation Gateway Project is being designed to widen roadways and accommodate the City's adopted comprehensive transportation plan for future development in the northeast and Pacific Ridge communities along 24th Avenue S. between S. 208th Street and S. 216th Street and S. 216th Street from I-5 to 18th Avenue S.

On July 23, 2009, responding to public input and staff recommendations, the City Council directed staff to move forward with a preliminary design of the Transportation Gateway Project employing an "offset" alternative that best fits the design objectives for the project on the two arterial streets while minimizing impacts on developed properties.

The preliminary design is substantially complete as shown on the general project schedule (Attachment 1). A draft summary report follows the City Council's direction detailing 30% design of the offset alignment (Attachment 2). The report documents preliminary engineering studies supporting the design and most of the deliverables required in the KPG preliminary engineering agreement. Remaining

deliverables are nearing completion. Attachment 3 illustrates the 30% design plan layout following the "offset" alternative including the sidewalks, planter strips, curbs, drainage and lane configurations for bicycles and vehicles. Page 11 of Attachment 2 illustrates the proposed cross section for the two roadways. Landscaping and urban design features of these cross sections will be further refined in final design. The plans call for undergrounding the overhead distribution utilities consistent with adopted standards, and pending Council confirmation, the City will execute a Schedule 74 conversion agreement to proceed with design of the electrical system during final design. It is not feasible to underground high voltage lines, but they will be relocated to accommodate the widening and remain in a configuration similar to today.

In September, staff announced availability of the preliminary plans and scheduled a technical review and an open public session to review to receive additional comments on the design details. A web site update, a public service announcement on Channel 21, and written invitations were sent to adjoining property owners and those who attended the previous sessions to publicize availability of the plans. A technical review session was held on September 24th to coordinate agency reviews. An open public review session was held on October 8, 2009, in the Conference Room of the Des Moines Police Station. Comments received to date are summarized in Attachment 4.

Discussion:

A significant body of engineering has been completed on the project preliminarily identifying the City's requirements for final design of the roadways grouped by the CIP in three segments: 24th Avenue South, S. 216th St Segment 1 (I-5 to 24th) and S. 216th St Segment 2 (19th Ave. S. to 24th).

Staff is recommending that the S. 216th St Segment 1 be divided into two stages (1-A and 1-B) for the purposes of advancing the project. Design of Stage 1-B, S. 216th St from Pacific Highway to I-5 requires that the I-5 bridge over crossing be widened to 4/5 lanes. Replacement of this bridge as a 2-lane structure with bicycle lanes is planned as part of the unfunded SR509 project. Given this capacity constraint, it is recommended that the City not proceed further with Stage 1-B design, but make plans to accommodate such expansion as future development occurs and/or SR509 becomes fully funded. Coordination with the City of SeaTac and WSDOT will be required to conduct further design work leading towards modifying the bridge design.

Based upon the City's experience, projects that are most competitive for grant funding are those that have a completed design including public ownership of right of way.

"Stage A" projects have been identified below as candidates to advance into final design, including environmental studies and work to begin acquiring right of way for future construction. If the Council elects to proceed with final design, additional Council direction will be sought in January to incorporate urban design features into the project. In the spring, following Federal National Environmental Policy Act (NEPA) compliance, the City Council would be asked to approve a right-of-way plan and proceed with acquisition on one or more segments depending upon funding availability. Plans, specifications and final construction estimates will advance to a level where construction documents can be readily prepared for Stage A improvements making these projects competitive for grant funding.

Stage A Projects

- 24th Avenue S.: S. 216th to S. 208th including the S. 216th intersection and transition to the south;
- S. 216th St (CIP Segment 2) 19th to 24th Ave S; and

- S. 216th St. (CIP Segment 1-A) 24th Avenue S. to Pacific Highway S. including the Pacific Highway South intersection with transitions to the east. (Attachment 3, page 4)

The Des Moines City Council Public Safety and Transportation (PS&T) Committee met to discuss the Project on October 8, 2009, including consideration of the staging plan and comments received to date. The 30 % plan responded to the offset alignment and the staging plan seemed to be a reasonable approach. The project impacts on commercial properties near the intersection with Pacific Highway S. were discussed including the possibility of establishing a common commercial driveway on the north side of S. 216th St, in the midblock vicinity between 24th Avenue S. and Pacific Highway S.

Public Involvement:

Following the Stage A design recommendations, there are not likely to be residential relocations which is responsive to previous public comments on the alignment. Most comments received to date address design details. There are some commercial properties in the vicinity of Pacific Highway that would be directly impacted. Property owner concerns have been expressed regarding restrictions of left turns to commercial driveways that are necessary to mitigate potential turning movement conflicts. The design has incorporated an eastbound U-turn pocket on S. 216th St at the Pacific Highway South intersection to accommodate movements to a major commercial center. Staff will continue to work with property owners to explore options for access improvement.

Efforts are being made to modify the design to respond to public comments in order to finalize the design report. The public comment period extends until October 15, 2009, and the City Council will be updated during the briefing. Technical review comments have been requested through October 8, 2009. As noted above, Attachment 4 summarizes comments received to date. The comments are being reviewed and plans will be modified if necessary to respond to concerns.

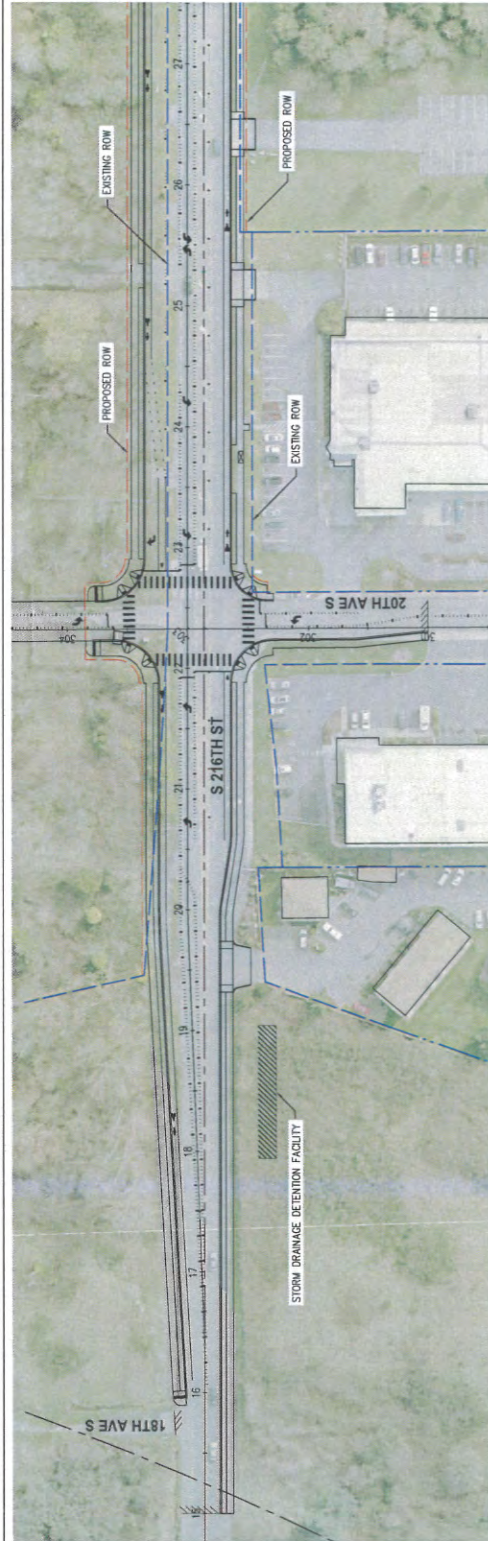
Financing:

The design/engineering work for the combined Transportation Gateway projects is within the adopted 2009 CIP budget for 2009 - 2010. Updates to the CIP construction and right of way costs will be recommended as part of the 2010 – 2015 budget cycle. Preliminary construction and right of way estimates for Stage A projects referred to above are included in Attachment 2, page 20. These costs will continue to be refined in final design. A separate project will be identified for S. 216th St, Stage 1-B to carry improvements between I-5 and Pacific Highway forward in the Six-Year Transportation Improvement Program.

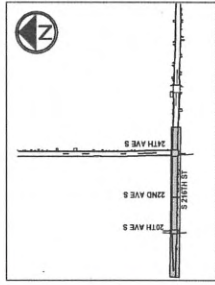
The City secured a Public Works Trust Fund (PWTF) loan to design the project, and conditions of the loan require that final design be completed within 24 months. The Scope of Work requires that the City prepare final design for the entire project, but anticipates that funding constraints may preclude advancing work into right-of-way acquisition or final bid documents. Staff is seeking concurrence from PWTF staff regarding final design staging as generally described in this briefing.

Next Steps:

This matter will be scheduled on the Des Moines City Council November 12, 2009, agenda for Council consideration of a motion to approve supplemental agreements for project management and final design of this project.

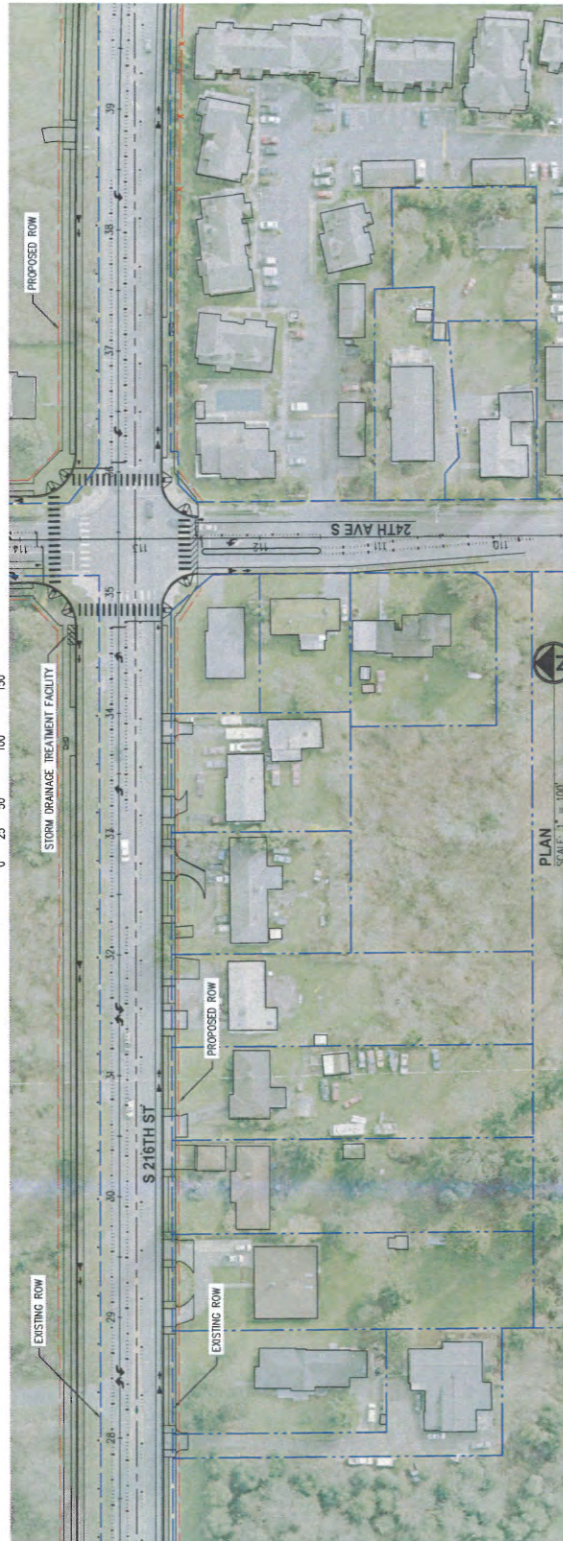


PLAN
SCALE: 1" = 100'
0 25 50 100 150



MAP KEY
NTS

- LEGEND**
- EXISTING PARCEL LINE
 - EXISTING RIGHT-OF-WAY
 - PROPOSED RIGHT-OF-WAY



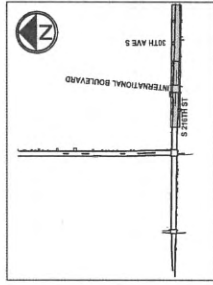
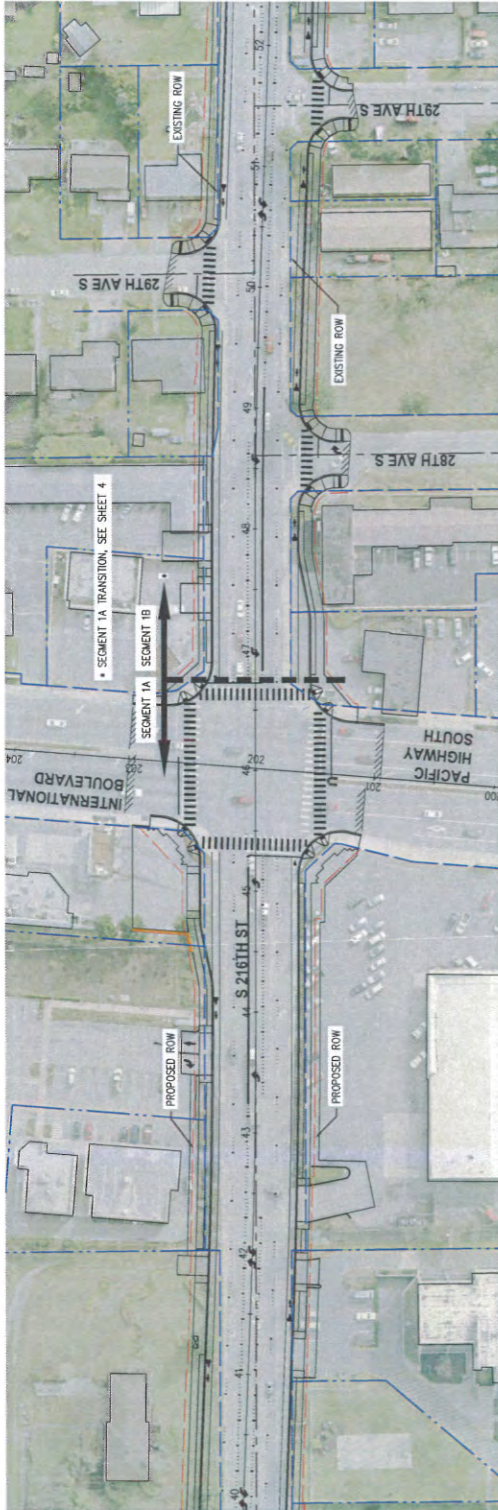
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SCALE: 1" = 100'
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**ROADWAY AND
CHANNELIZATION PLAN**
SHEET 1 OF 4

TRANSPORTATION GATEWAY PROJECT

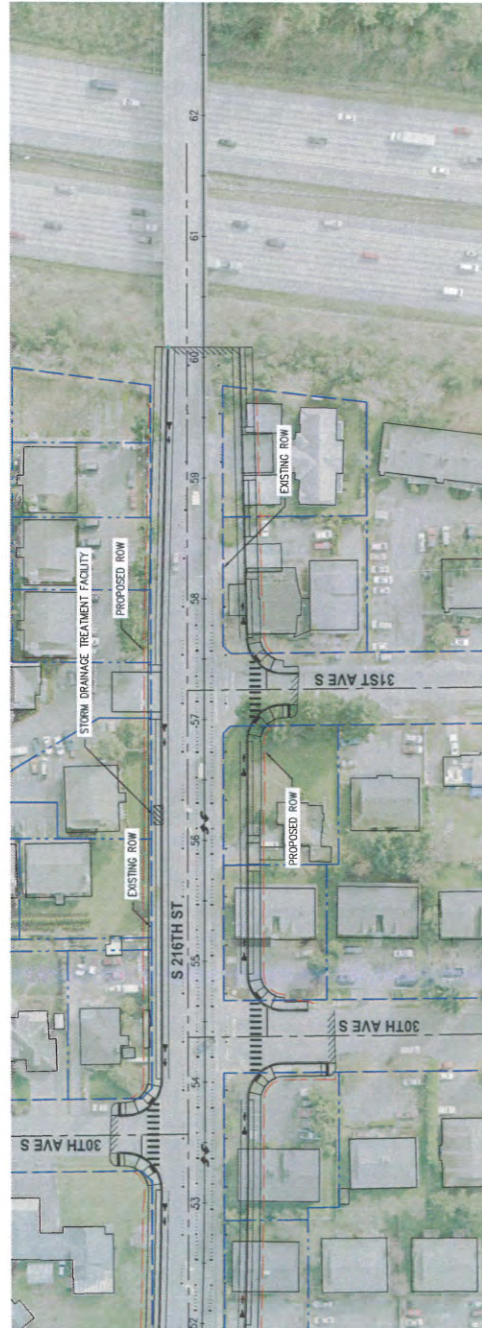
KPG
753 24th Ave S, 1177 Building
Seattle, WA 98108 Suite 301
(206) 265-5400
www.kpg.com (206) 427-0270





MAP KEY
NTS

- LEGEND**
- EXISTING PARCEL LINE
 - EXISTING RIGHT-OF-WAY
 - PROPOSED RIGHT-OF-WAY



PLAN
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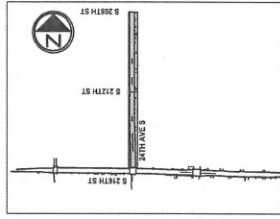
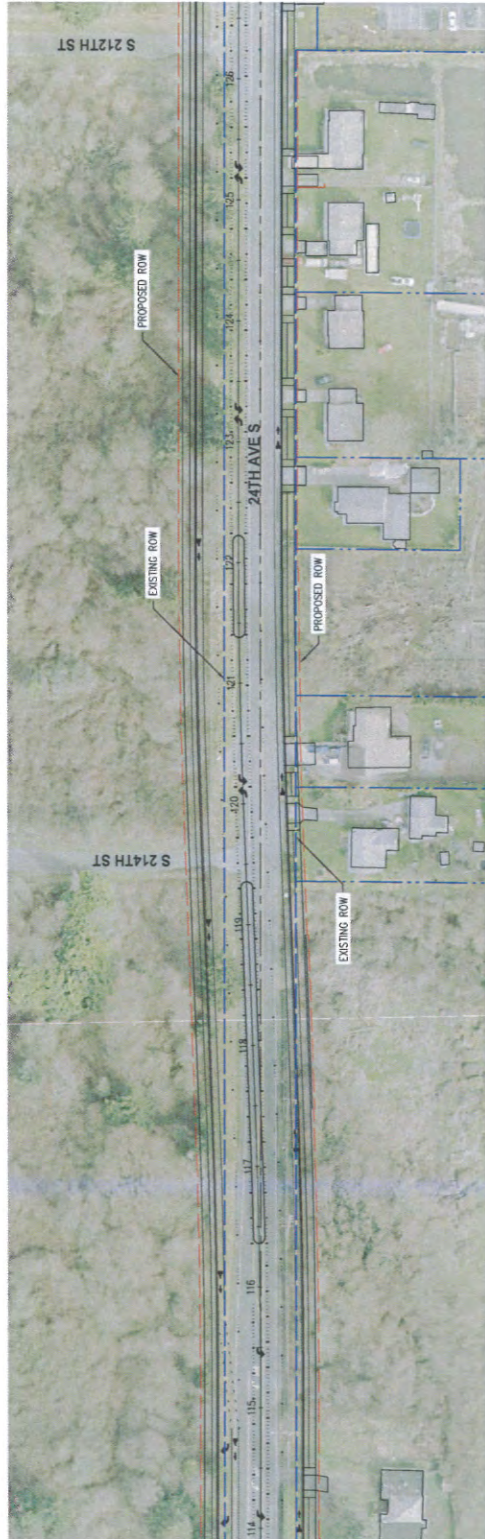


KPG
703 9th Avenue S | 1117 Broadway
Seattle, WA 98108 Suite 501
(206) 255-5400 Tacoma, WA 98402
www.kpg.com (253) 527-0270

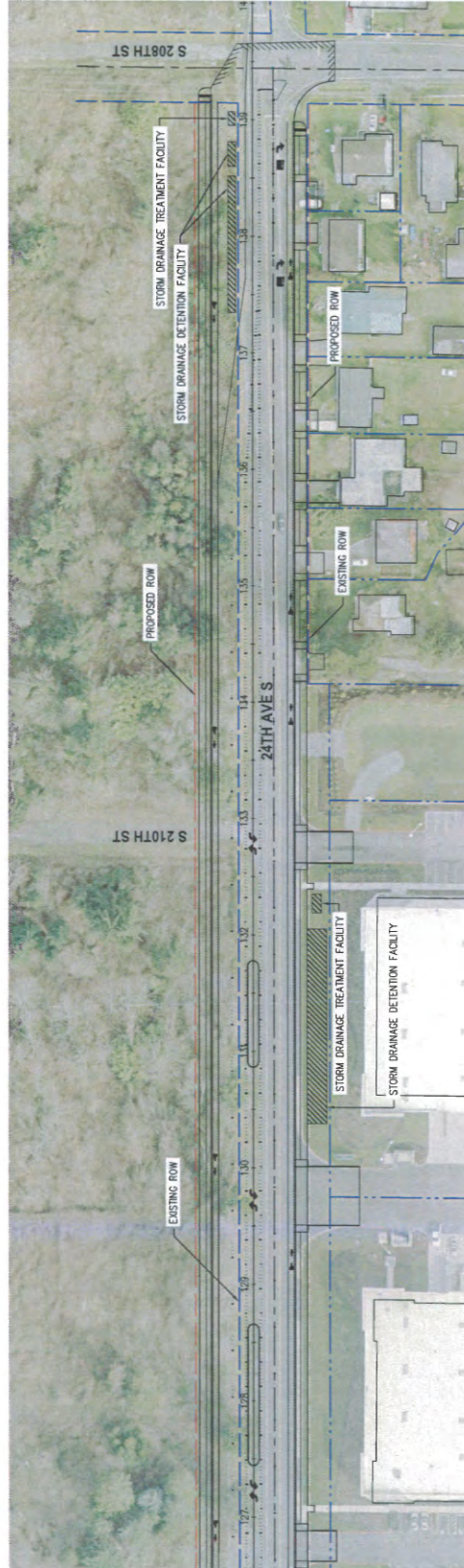
TRANSPORTATION GATEWAY PROJECT

**ROADWAY AND
CHANNELIZATION PLAN**

SHEET 2 OF 4



MAP KEY
NTS



- LEGEND**
- EXISTING PARCEL LINE
 - EXISTING RIGHT-OF-WAY
 - PROPOSED RIGHT-OF-WAY

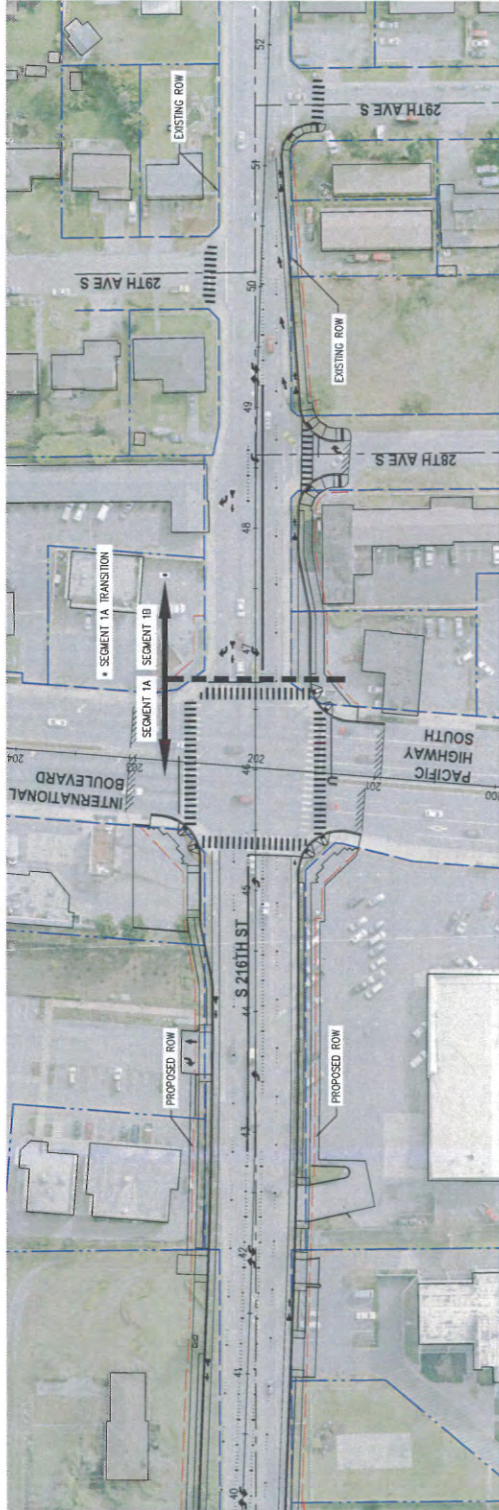
ROADWAY AND
CHANNELIZATION PLAN

SHEET 3 OF 4

TRANSPORTATION GATEWAY PROJECT

KPG
700 N. Lincoln St. | 1177 Building
Suite 501
Tampa, FL 33602
(813) 251-5400
www.kpg.com





MAP KEY
NTS



LEGEND
— EXISTING PARCEL LINE
— EXISTING RIGHT-OF-WAY
— PROPOSED RIGHT-OF-WAY

KPG
753 9th Avenue S, 1117 Franklin
Seattle, WA 98108
(206) 245-5400
www.kpg.com



TRANSPORTATION GATEWAY PROJECT

ROADWAY AND
CHANNELIZATION PLAN
SEGMENT 1A TRANSITION
SHEET 4 OF 4

ATTACHMENT 4
30% Design
Transportation Gateway Project
Public Review and Technical Comments

1. **Open Public Meeting #3 Notes:** Des Moines Police Station, October 8, 2009

2. **Technical Review Meeting #3 Notes:** Des Moines Service Center, September 24, 2009

**Meeting Summary
Transportation Gateway Project
Open Meeting #3
Des Moines Police Station Conference Room
October 8, 2009; 2pm to 4pm**

PURPOSE:

The open public meeting provided information on the Transportation Gateway Project for the proposed improvements to S 216th St (I-5 to 19th Ave S) and 24th Ave S north of S 216th St. The project includes additional general purpose lanes, turn lanes, signals, drainage, curbs and gutters, sidewalks, bicycle lanes, and planter strips.

This is the third open public meeting to present the 30 percent design phase laying out details of the preferred "offset" alignment. Staff provided visual aids in the form of maps and charts including:

- Current project schedule
- Pictorial representation of typical cross sections for S 216th St and 24th Ave S
- Color alignment maps
- Transportation Gateway Link map overlaying the alignment on an ortho photo, showing development activity along the Gateway Corridor

PUBLIC NOTIFICATION:

Notification for the open meeting included:

- 140 invitations mailed to previous attendees as well as property owners, occupants and agencies immediately adjacent to the project limits.
- Flyers were posted on public information boards at the following locations:
 - Des Moines Senior Center
 - Des Moines City Hall
 - Police Station
 - Library
 - Field House
- Notice was posted on Channel 21
- A meeting notice was posted on the City's updated website.

ATTENDANCE:

A total of 10 people provided information on the sign-in sheet. These included business owners, and area residents from Des Moines and SeaTac. The open house was staffed by the City of Des Moines Transportation Division and KPG.

SUMMARY OF COMMENTS RECEIVED:

Residential, business and agency comments were generally in favor of the project and feel that it is an improvement. Comments received by attendees included the following:

General Comments:

- Interest about the construction schedule and phasing was expressed by all attendees. Staff replied that the project will likely be built in phases or increments by the City as well as frontage improvements associated with redevelopment. Staff is recommending that Stage A in final design exclude the ultimate segment between Pacific Highway and I-5. This Stage A alignment proposes a transition to the existing roadway east of Pacific Highway in the vicinity of 29th Avenue S and preserving the curb line north of S. 216th St in this area. Staff's option of a best case construction scenario is likely to be one of the Stage A segments where right of way and grant funding can be secured (most likely 24th Avenue or S. 216th Segment 2) with construction starting no sooner than 2011.
- Construction funding was also a frequent topic. Staff replied that construction funding has not yet been secured; but that grants are being sought to help fund the project.
- Two attendees had questions about the SCORE project.

Comments from City of Des Moines attendees:

- Owners of the Majestic Bay Apartment Complex wanted to know what was planned for their signage and visitor parking. The right-of-way acquisition for Majestic Bay is estimated at 13 feet, with sign relocation and a possible restructure of the parking lot and possible loss of parking. Resident manager Malae Asonul, speaking for the owner, stated that there is currently sufficient parking but the area impacted is a limited number of stalls for visitors. Staff will send enlarged design details to Majestic Bay electronically. KPG offered to evaluate alternatives for parking replacement on the Majestic Bay Properties and indicated these issues will need to be negotiated during the right of way acquisition phase – Malae Asonul
- Both a business and the property owner of the Des Moines Convenience Center (SW corner of the Safeway Complex) were very concerned about restricted left turn access to the Safeway complex. The lack of a EB left turn on S. 216th St to the Centers curb cut was considered critical and lacking such an access the owners oppose the project. Mr. Martin was going to send the City an example of a “left turn-in, right only out” application. Staff indicated that a EB U-turn at Pacific Highway South was being incorporated into the project to preserve the left turn in and that options exist from other driveways in the complex for a U-turn northbound on Pacific Highway South, but the owners opposed to the project without direct left turn in access to the existing driveway EB on S. 216th St.

The discussion broadened to include the future Extension of SR509, extension of 24th/28th Avenue S. as well as the timing of future redevelopment. The owner indicated he had right of access across the Safeway property and suggested the city explore another option for a common driveway on the property to the west, including full left turn ingress and egress (formerly a nursery) when

that property commercial redeveloped. This option would preserve the access desired by the owner and businesses.— Roger Belanich, Jack Martin, and Dan Benham

- Chief Ron Biesold supported Opticom signal emergency detection being placed at the intersections. West of 20th Ave S he suggested advance detection be incorporated given hill and the need for line of sight optical detection.
- A resident who resides on S 216th St, at 2215 S. 216th St., would like to save the fir tree in his front yard if possible. – Jeffrey Matt
- King County Water Commissioner for District 54 expressed interest in the project. The Water District does not directly serve this area but she wanted to have a better idea of capital projects underway by the city. She noted the need for the District to undertake capital improvements to upgrade facilities with construction of improvements on S 216th St between Marine View Drive and 11th Ave S. – Alli Larkin

Comments from City of SeaTac attendee:

- A resident at 2414 S. 208th St., west of the S 208th St intersection, was interested in staff thoughts regarding when her property will be acquired for redevelopment, as well as when a sewer line would be installed on S. 208th St. Staff provided her with contact information at the Midway Sewer District. Access to the new jail was questioned and staff advised that the access would be along S. 200th St rather than S. 208th St. – Bridget Barrett

Other communications in advance of the meeting included the owner of the motel at 21450 Pacific Highway S. (SeaTac). Staff advised the owner of the recommended Stage A design and, while the ultimate configuration would affect development of the property, plan staging as proposed would keep the curblin in front of this property without taking additional right of way. - Satavinder Singh.

Another property owner's representative residing at 21332 24th Ave S. requested plan details in order to begin moving plants out of the construction area. Plans were provided via e-mail with an explanation of the right of way impacts. (Keith Morgavi for Shirley Stalgis).

Comment sheets were distributed at the meeting and email contact information soliciting comments from those who could not attend were posted on the flyers and meeting invitations. Written comments were requested by October 15, 2009

Sign-In Sheet
 Transportation Gateway Project
 Public Meeting #3
 Des Moines Police Station Conference Room
 October 8, 2009; 2pm to 4 pm

Name	Address	City	Email	Phone
ROGER BELANICH	22020 17th Ave S.E.	Bothell, WA	98021	vo@businesspropertydevelopment.com 425-485-4850
JACK MARTIN		SALEM		
DAN Benham	21425 Pacific Hwy S.	DANBURY		EARTHLink.net
Chief Biesold				
Malae Gisdan	2451 32nd St	Des Moines	magmasticbay@graninc.com	206-870-3355
Lorri Ericson		City of Des Moines		
Bridget Barrett	2414 S. 208th St			
JEFFREY WAT	2215 S. 216th	Des Moines	jwat54703@msd.com	206-824-3339
MIKE ROBERTS	3125 132nd St	Bothell		
ALLI LARKIN	21937 7th Ave S	210 DES MOINES	all@alark.net	206 278-1203
STAFF				
LEN MADSEN				
AMY SWANZ		DMIA		
LEAH QUINN		City - DMIA		
NELSON DAVIS		KIP		

Majestic Bay: jeff@simplehousing.com - Landlord/owner
 nelson@graninc.com → Gran management owner
 alice@graninc.com → Property manager.
 majesticbay@graninc.com

Meeting Summary
Transportation Gateway Project
Technical Coordination Meeting #3
 Des Moines Service Center
 2255 S. 223rd St., Des Moines, WA
Thursday September 24, 2009
2:00-3:30 PM

PURPOSE:

Technical staff from stakeholder agencies and franchise utilities were invited to view and comment on the 30% Design Plans for the Transportation Gateway Project involving improvements to S. 216th Street (I-5 to 19th Ave S) and 24th Avenue S., north of S. 216th Street. The project includes additional general purpose lanes, turn lanes, signals, drainage, curbs & gutters, sidewalks, bicycle lanes, and planter strips to accommodate planned growth in the area.

In this meeting, City staff introduced the 30% Design plans and 30% Design Report, highlighting the major project features. Stakeholders provided a summary of their concerns and plans for expansion within the area.

Action items are indicated in **bold** text below.

AGENDA / SUMMARY:

- Introductions: Len Madsen, City Project Manager
- Background Purpose and Schedule: Len Madsen, City Project Manager

Len Madsen reviewed past meetings with community, through open houses, and City Council that have resulted in analysis of the "Offset" and "Symmetrical" alignments. Following public input, the City Council directed staff to proceed with design of the "Offset" alignment.

- The 30% design report is now complete and a (2) week review period is now underway to allow for comment on the preliminary design and report.
- Additional Design Report appendices will also be distributed in PDF format based on the following requests.

1. **WSDOT (Rick Roberts) – Updated Traffic Report provided @ meeting**
2. **City of SeaTac (Susan Sanderson) – Updated Traffic Report & ROW impacts to residences.**
3. **Port of Seattle – Coordinate Port property access points from 216th and 24th.**

Schedule Review

1. Preliminary pre-design efforts complete by November, 2009.
2. October 8th, 2009 – End of (2) week comment review period.
3. October 22nd, 2009 – Preliminary Design City Council briefing
4. November 12 – Contract Supplement Approval for Final Design

Right-of-Way Plans are included in 30% Design for the ultimate project. It is recommended that the project be staged with the initial phase lying east Pacific Highway South (with lane transitions to 29th Avenue S). The Right-of-Way acquisition process would not begin until the NEPA process is finished, scheduled to be complete by mid-2010.

- 30% Design Review "Offset" Alignment: Nelson Davis, KPG Project Manager

The selected "Offset" alignment and major features that included minimizing developed commercial and residential property impacts were reviewed. A majority of roadway widening will occur on Port of Seattle property on 24th Avenue S and S. 216th St (between 24th Ave S. and 20th Ave S). Drainage detention and treatment facility locations are proposed in the old SR 509 ROW as well as on property dedicated to the City by ProLogis as well as another site along 24th Avenue S.. Signal improvements and upgrades are included in the design.

Discussion concerning project sequencing for near-term and long-term improvements and associated impacts ensued. Staging is addressed in the design report summary. Recommended elements to advance into final design will include all project elements west of Pacific Avenue South. East of Pacific Avenue South, S. 216th St will transition back to the existing road cross-section in the vicinity of 29th Avenue S. and, in this initial phase, the curbline on the north side of the street will remain in substantially same location. Sequencing to the ultimate configuration will likely be tied to future development improvements in this area.

- Facility/Utility Coordination: All
 - Puget Sound Energy

PSE requested City's preference for location of high-power transmission lines during relocation. Nelson indicated that the utility should be placed on the north side of S. 216th Street and the east side of 24th Avenue S. It is possible that distribution and communications lines may be located on the west side

The City indicated that they may know scope of work and project sequencing in approximately (2) months. Generally the recommended stages are outlined in the design report. The City will need to request individual Sch 74 agreements for each sequence of work. Design will take 30-40 business days.

PSE agreed to provide a preliminary cost estimate for engineering and construction will be provided to the City for each project "phase" as indicated in the Design Report by October 8.

- Quest

It was indicated a that the Joint Utility Trench will be located on the opposite side of the roadway from the high-power transmission lines: the west side of 24th Avenue S.

Quest indicated that they will follow Puget Sound Energy with their utility relocation and services to individual parcels.

- City of SeaTac

The City of SeaTac expressed concerns in required Right-of-Way and how this project will minimize impacts. It was noted that the "offset" alignment has minimized property impacts on 24th Avenue S. and has allowed for the retention of the west-bound curb line on S. 216th Street at the intersection of SR99 with the anticipated construction sequencing, until the long-term improvements are constructed. Len mentioned that the configuration of 24th Avenue S is intened to be compatible with with the eventual extension of 24th/28th Avenue arterial to S. 200th St.

The City of SeaTac also expressed interest in providing adjoining residences with information and opportunity to review and comment on the current design.

- Community Information

Len Madsen, City Project Manager

The City of Des Moines is sending flyers to property owners adjoining the project inviting them to review and provide comments the 30% Plans and Design Report that will be available for review on 2pm to 4pm, October 8, 2009 in the large conference room at the Des Moines Police station. The invitations will be sent to all parties who have expressed concerns, or have been active in past open houses and comment periods.

- Technical Wrap up: 30% Comments by October 8, 2009.

ATTENDEES:

- A copy of the sign in sheet is attached.

DISTRIBUTED MATERIALS DURING MEETING:

- DRAFT 30% Design Plans – Cover, Alignment Plan and Profile sheets.
- DRAFT 30% Design Report Summary

Sign-in Sheet
 Transportation Gateway Project
 Technical Coordination Meeting #3
 Des Moines Service Center
 2255 S. 223rd Street
 Thursday, September 24, 2009
 2:00 - 3:30 PM

Name	Agency	Phone	email
ANDREW MERGERS	KPA	206.286.1640	andrew@kpg.com
NELSON DAVIS	KPA	—	nelson@kpg.com
Justin McConachie	PSE	425.457.5777	justin.mcconachie@pse.com
DOUG CORDON	PSE	253.395.6867	
BRANDON CARVER	C.O.D.	(206) 870-6543	
AMY SWARTZ	CoFD	206.870.6592	aswartz@desmoineswa.gov
RICK ROBERTS	WSDOT	206.440.4352	robert.r@wsdot.wa.gov
Warren Perkins	Qwest	253.372.5325	warren.perkins@qwest.com
DALE HARTMAN	II	253.372.5364	dale.hartman@qwest.com
Susan Sanderson	Seatac	206.473.1740	ssanderson@ci.seatac.wa.us
John Blackburn	Des Moines	206.870.6559	jblackburn@desmoineswa.gov
DANIEL GRIFIN	Des Moines	—	
Mark Griffin	Port of Seattle	206.787.3726	griffin.m@portseattle.org

AGENDA ITEM

BUSINESS OF THE CITY COUNCIL City of Des Moines, WA

SUBJECT: Transportation Gateway Project
Right-of-Way Plan Approval:
S. 216th Street Segment 1A (24th Ave.
S. to 29th Ave. S.)

AGENDA OF: February 14, 2013

DEPT. OF ORIGIN: Planning, Building & Public
Works

DATE SUBMITTED: February 7, 2013

ATTACHMENTS:

1. Segment 1A Right-of-Way Plan
2. Segment 1A Channelization Plan
3. Adopted Right-of-Way Procedures
4. Status of Right-of-Way Acquisition
5. 2013-2018 CIP Budget Worksheet

CLEARANCES

- [X] Legal *PB*
 [X] Finance *ph*
 [] Marina *N/A*
 [] Parks, Recreation & Senior Services *N/A*
 [X] Planning, Building & Public Works *DJB*
 [] Police *N/A*

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

Purpose and Recommendation:

The purpose of this item is to accept and approve the right-of-way plans signed by the Public Works Director for the South 216th Street Segment 1A improvement project between 24th Avenue South and 29th Avenue South, one of three arterial corridor segments referred to collectively as the Transportation Gateway Project. The right-of-way plans are provided as Attachment 1. This action by the Council will prevent land use actions that are in conflict with the right-of-way plans, as well as prevent this right-of-way from being acquired by other government agencies for other uses.

Suggested Motion

"I move to accept and approve the right-of-way plans signed by the Public Works Director for the South 216th Street Segment 1A improvement project between 24th Avenue South and 29th Avenue South, (attached hereto), substantially in the form submitted and authorize the Public Works Director to make adjustments to the right-of-way plans as necessary to support engineering modifications that may be necessary, in accordance with adopted Right-of-Way Procedures."

Background:

Design of Segment 1A of South 216th Street (24th Ave. S. to 29th Ave. S.) is substantially complete. The ultimate configuration of curbs and channelization are shown in Attachment 2. Segment 1B from Pacific Highway to I-5 was evaluated during the preliminary design stage, however the decision was made to defer final design of this segment due to the uncertainty around replacement of the South 216th Street I-5/SR509 overpass and future development of the area.

The design process for the Transportation Gateway Project, including public involvement, environmental reviews and surveying, enables the City to advance into the right of way approval process consistent with right of way procedures adopted by the Council on June 10, 2010 and subsequently approved by the WSDOT (Attachment 3).

On August 30, 2012, the City Council approved Contract Supplement #7 with KPG Inc. to finalize the right of way plan and to develop a project funding estimate for the right-of-way on this project segment. The final right-of-way plan has been prepared, and signed by the Public Works Director.

In 2012, the owner of the gas station on the NW corner of Pacific Highway and South 216th Street expressed interest in moving forward with negotiations with the City for the necessary right-of-way on his property. On August 30, 2012, the City Council approved Contract Supplement #8 with KPG Inc. authorizing limited right-of-way negotiations within this corridor segment, specifically for project parcel #48. Staff is preparing to move forward with the needed environmental review and appraisal process for this property.

The status of right-of-way negotiations for the property fronting Segment 1A of the South 216th Street project is illustrated in Attachment 4. Note that the properties contiguous to the 24th Avenue South and S. 216th Street Segment 2 project were previously acquired. The pending right-of-way negotiations for Project Parcel #48 is also illustrated. Negotiations on all of the other properties are currently inactive. Staff will seek Council authorization to proceed with the acquisition as funding and opportunities become available, perhaps as soon as this summer.

Discussion:

Finalization of the right-of-way plan provides certainty in terms of the City's intent, should development be proposed in the corridor. It enables the City to protect the right of way from becoming encumbered so that the roadway can be expanded to meet future capacity and design requirements as necessary to meet the needs of the City of Des Moines Comprehensive Transportation Plan. It also demonstrates the City's intent to protect this right-of-way for City uses as other public projects (ie Sound Transit) begin to advance.

Financial impact:

There are no specific financial impacts associated with the acceptance of the right-of-way plan.

The South 216th Street, Segment 1A project is included in the Transportation Capital Fund CIP (2013 to 2018). Refer to Attachment 5. Staff will seek Council authorization to proceed with further acquisition of the right-of-way as funding and opportunities become available.

While an estimate for the right-of-way acquisition cost is included in the adopted budget, in accordance with our adopted right-of-way acquisition procedures, a Project Funding Estimate (PFE) is being prepared that will allow the City to more accurately estimate the acquisition costs for each parcel. The results of the PFE will also tell us which properties will require appraisals.

Recommendation:

Staff recommends that the City Council approve the suggested motion.

Concurrence

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

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



CITY MANAGER
Anthony Fiasecki

MAYOR

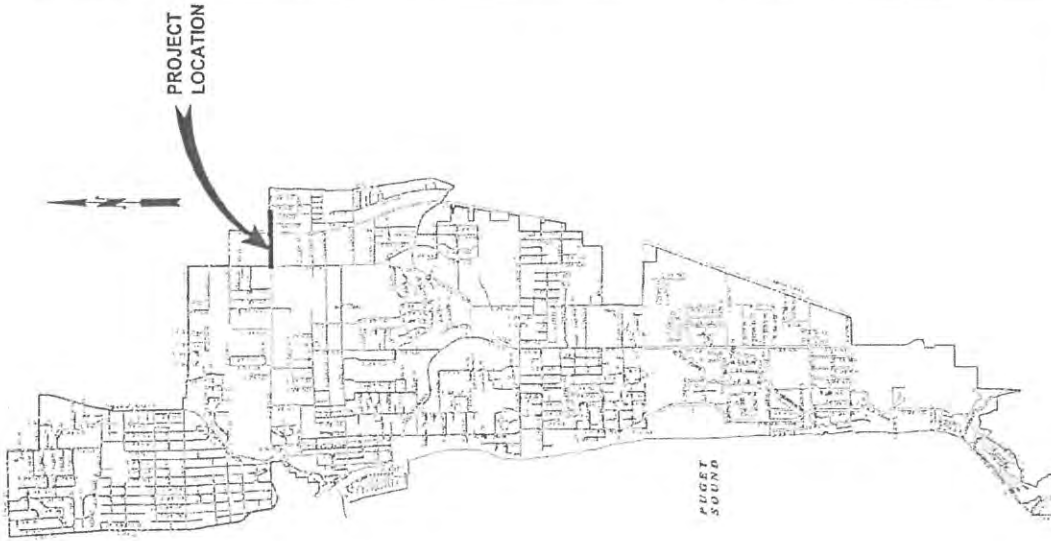
Dave Kaplan

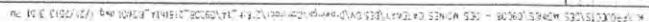
ACTING PUBLIC WORKS DIRECTOR
Daniel J. Brewer, P.E., P.T.O.E.

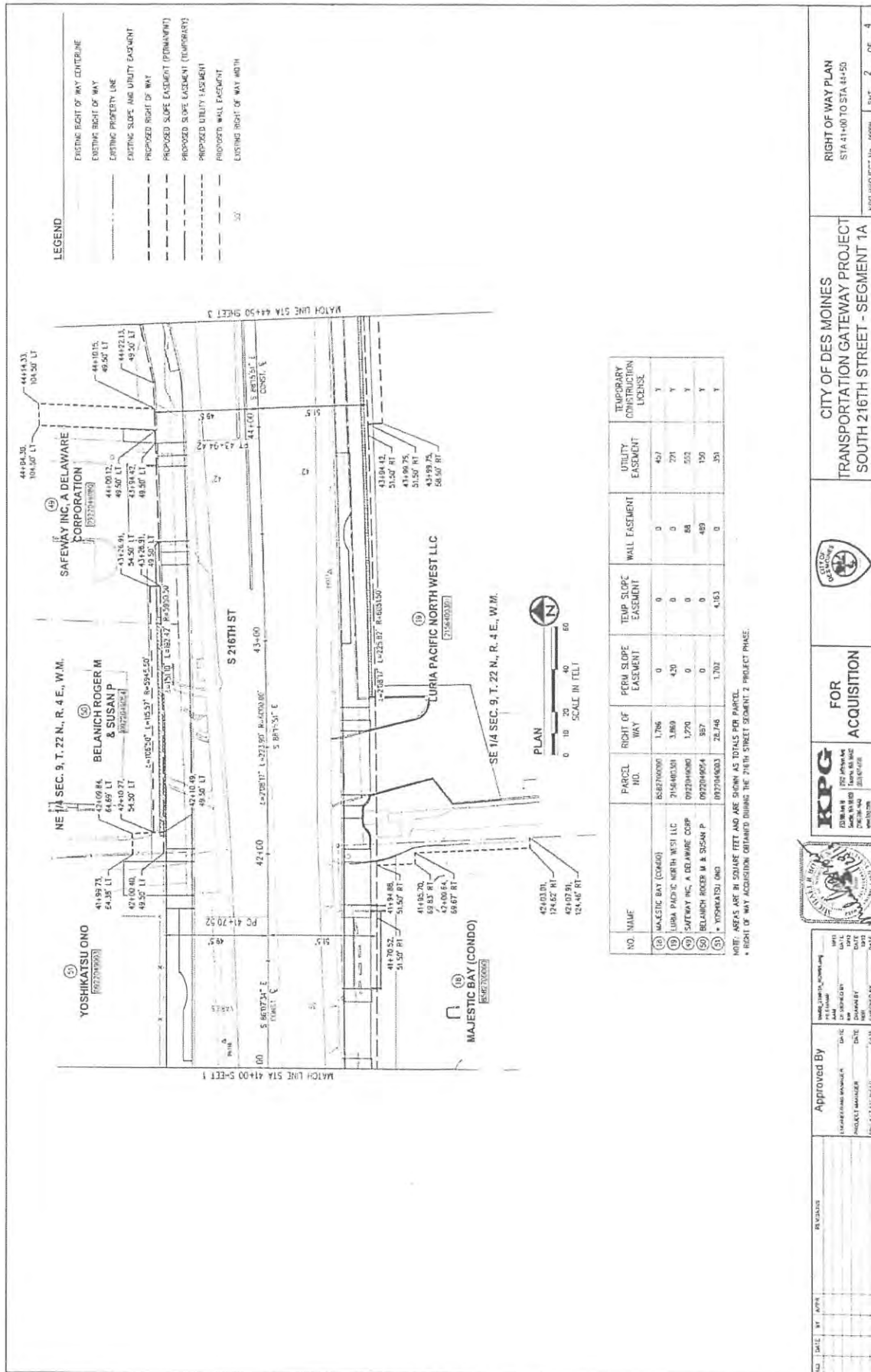
CITY COUNCIL
Matt Pina
Jeanette Burrage
Carmen Scott
Dan Caldwell
Melissa Musser
Rob Sheckler

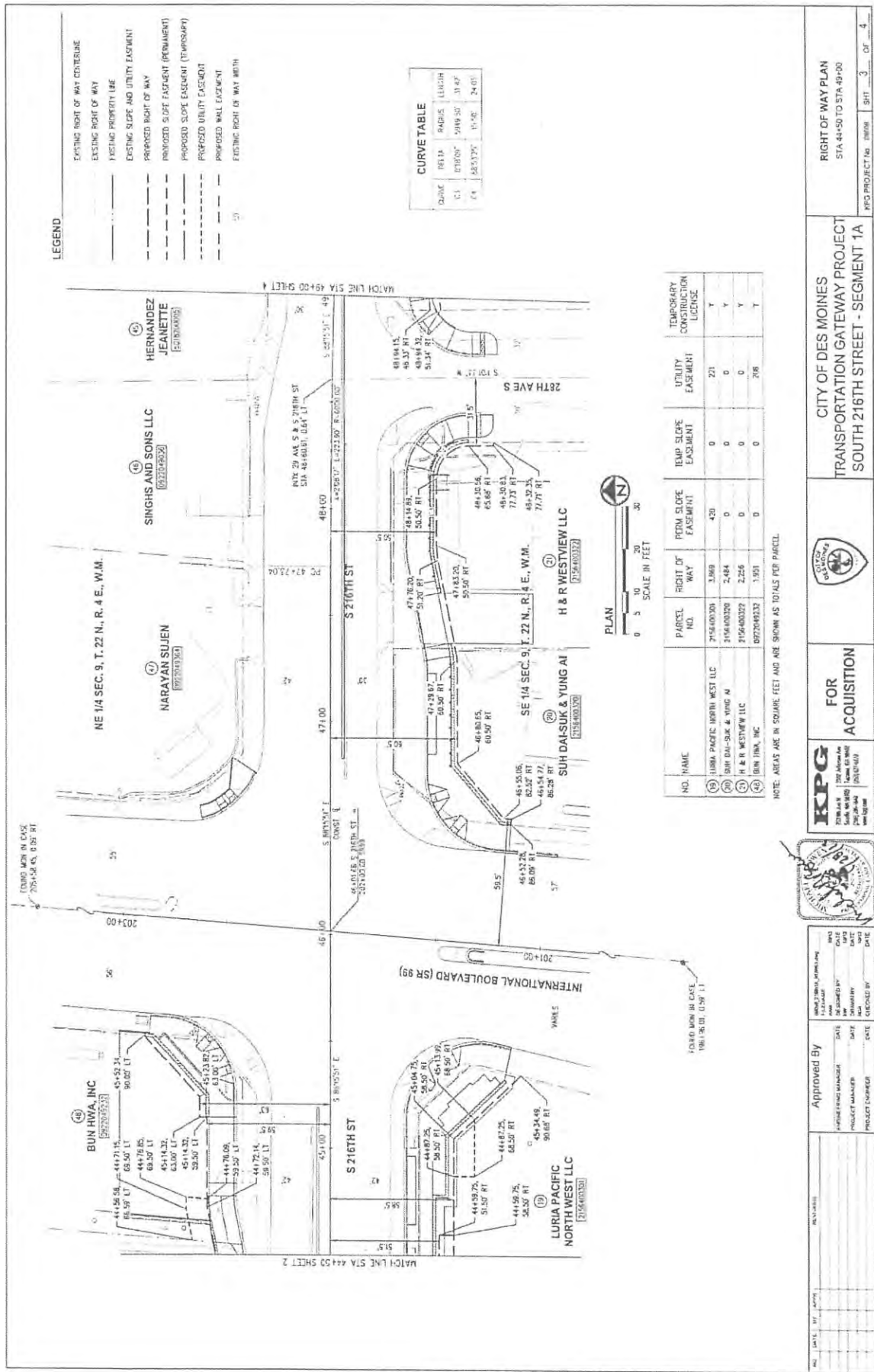
APPROVED RIGHT OF WAY PLAN:	2-5-2013
	DATE
DANIEL J. BREWER, P.E., P.T.O.E.	
ACTING PUBLIC WORKS DIRECTOR	

FOR
ACQUISITION











CITY OF DES MOINES TRANSPORTATION GATEWAY PROJECT

SOUTH 216TH STREET - PHASE 1A

CITY MANAGER

Tony Piascecki

MAYOR

Bob Sheckler

PLANNING, BUILDING, AND PUBLIC WORKS DIRECTOR

Grant Fredricks

CITY COUNCIL

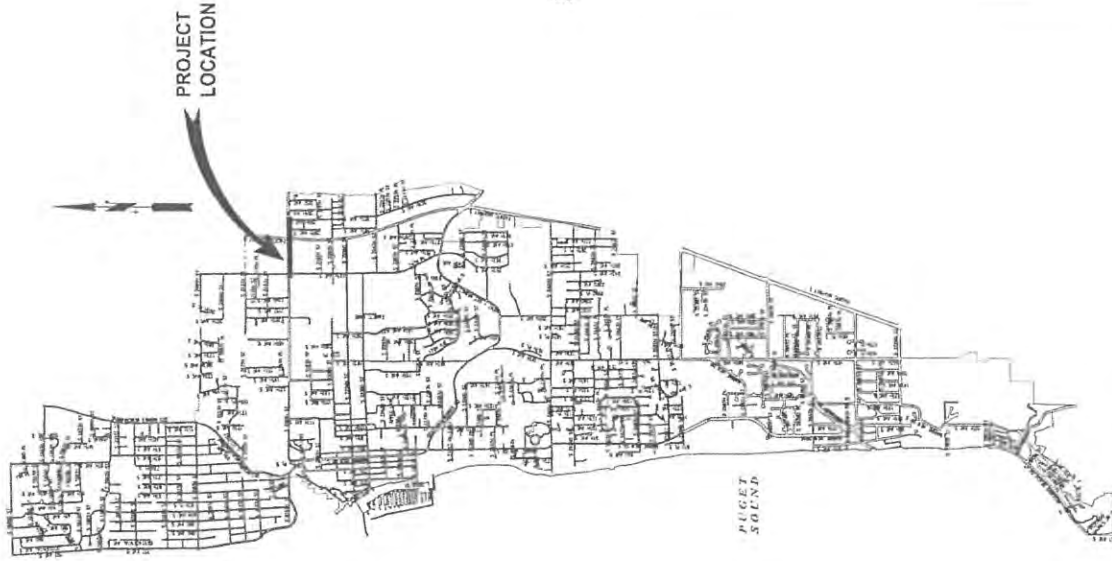
Dave Kaplan
Melissa Musser
Matt Pina
Carmen Scott
Dan Sherman
Scott Thomasson

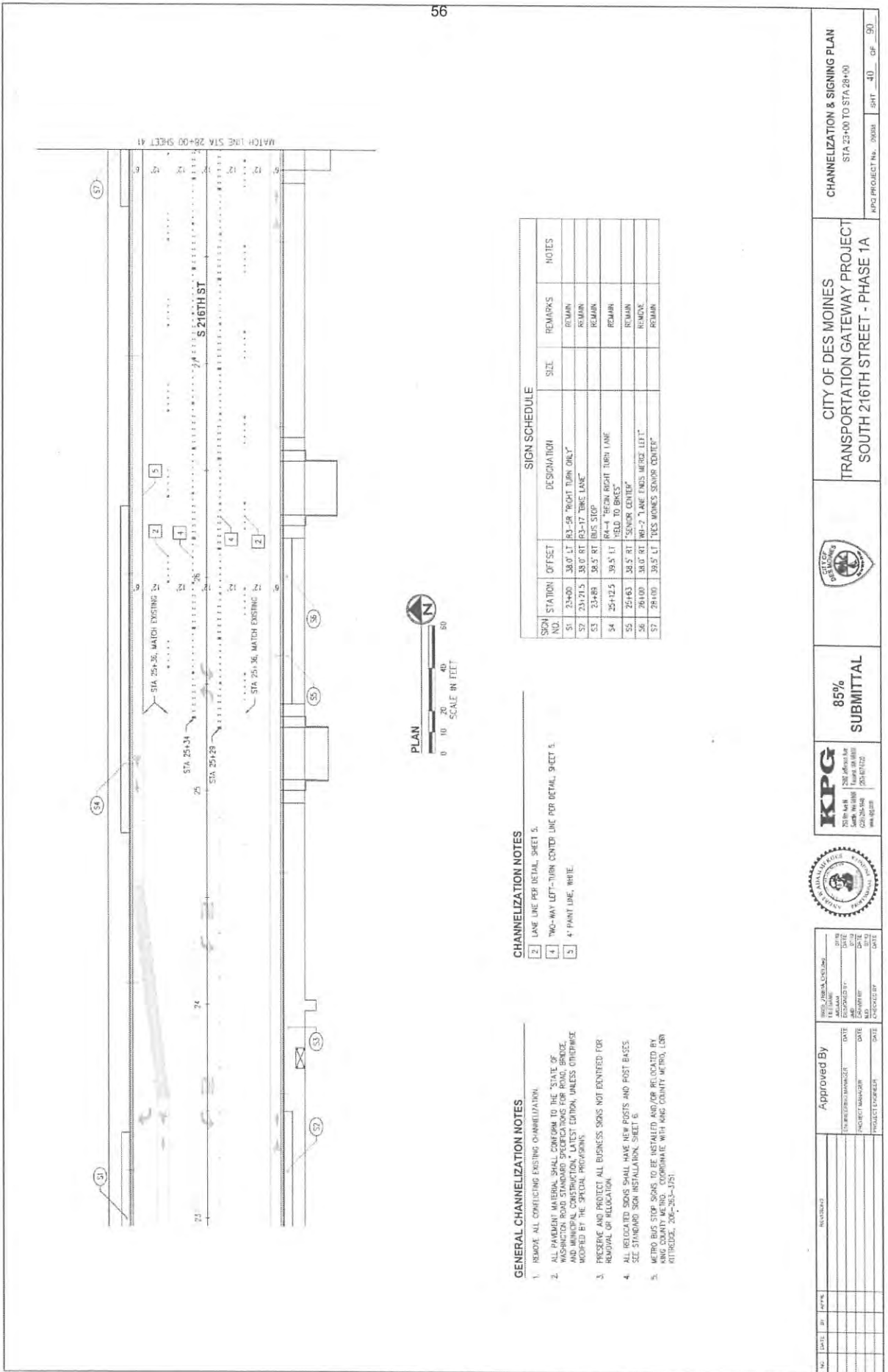
SCHEDULE OF DRAWINGS

SHEET NO.	TITLE
1	COVER SHEET
2	SHEET INDEX
3	LEGEND & SURVEY DATA
4	TYPICAL SECTIONS
5 - 7	DETAILS
8 - 13	SITE PREPARATION & TESC PLANS
14 - 18	ROADWAY PLANS
19	INTERSECTION PLAN
20 - 27	ROADWAY PROFILES
28 - 36	WALL PLANS
37 - 39	DRIVEWAY PLANS & PROFILES
40 - 45	CHANNELIZATION & SIGNING PLANS
47 - 53	ILLUMINATION PLANS & DETAILS
54 - 58	SIGNALIZATION PLANS & DETAILS
59 - 64	IRRIGATION PLANS & DETAILS
65 - 70	LANDSCAPE PLANS & DETAILS
71 - 79	URBAN DESIGN PLANS & DETAILS
80 - 85	JOINT UTILITY TRENCH PLANS & DETAILS
86 - 90	RIGHT OF WAY PLANS



85%
SUBMITTAL





CHANNELIZATION NOTES

- 2 LANE LINE PER DETAIL, SHEET 5.
- 4 TWO-WAY LEFT-TURN CENTER LINE PER DETAIL, SHEET 5.
- 5 4' PAINT LINE, WBE.

GENERAL CHANNELIZATION NOTES

1. REMOVE ALL CONFLICTING EXISTING CHANNELIZATION.
2. ALL PAVEMENT MATERIAL SHALL CONFORM TO THE "STATE OF WASHINGTON ROAD STANDARD SPECIFICATIONS FOR ROAD, BRIDGE, AND MUNICIPAL CONSTRUCTION," LATEST EDITION, UNLESS OTHERWISE NOTED BY THE SPECIAL PROVISIONS.
3. PRESERVE AND PROTECT ALL BUSINESS SIGNS NOT IDENTIFIED FOR REMOVAL OR RELOCATION.
4. ALL RELOCATED SIGNS SHALL HAVE NEW POSTS AND POST BASES. SEE STANDARD SIGN INSTALLATION, SHEET 6.
5. METRO BUS STOP SIGNS TO BE INSTALLED AND/OR RELOCATED BY KING COUNTY METRO. COORDINATE WITH KING COUNTY METRO, L&B DIVISION, 206-260-3751.

NO.	DATE	BY	REVISION

DESIGNED BY	CHECKED BY	DATE

PROJECT ENGINEER	DATE



KPG
705 1st Ave N
Seattle, WA 98108
206-461-1000
206-461-1001

**85%
SUBMITTAL**



**CITY OF DES MONIES
TRANSPORTATION GATEWAY PROJECT
SOUTH 216TH STREET - PHASE 1A**

CHANNELIZATION & SIGNING PLAN
STA 23+00 TO STA 28+00
APQ PROJECT No. 29008
SHT 40 OF 90

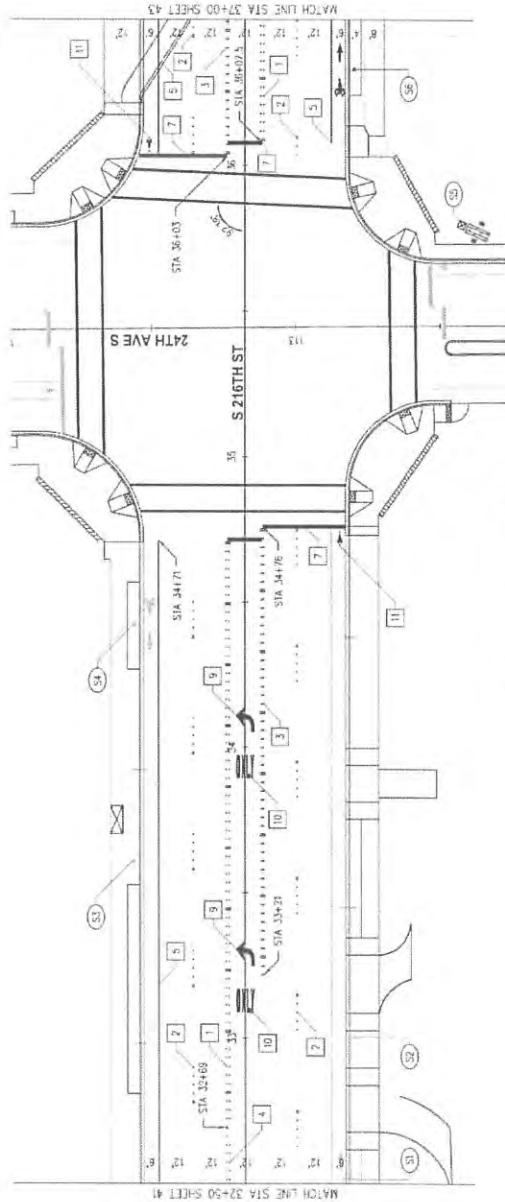


1. REMOVE ALL CONFLICTING EXISTING CHANNELIZATION
2. ALL PAVEMENT MATERIAL SHALL CONFORM TO THE STATE OF WASHINGTON ROAD STANDARD SPECIFICATIONS FOR ROAD, BRIDGE, AND MUNICIPAL CONSTRUCTION, LATEST EDITION, UNLESS OTHERWISE MODIFIED BY THE SPECIAL PROVISIONS.
3. PRESERVE AND PROTECT ALL BUSINESS SIGNS NOT DEEMED FOR REMOVAL OR RELOCATION
4. ALL RELOCATED SIGNS SHALL HAVE NEW POSTS AND POST BASES, SEE STANDARD SIGN INSTALLATION, SHEET 6
5. METRO BUS STOP SIGNS TO BE INSTALLED AND/OR RELOCATED BY KING COUNTY M.T.D. COORDINATE WITH KING COUNTY M.T.D., LOCAL ATTITUDE, (360-965-4791).

2	LAME LINE PER DETAIL, SHEET 5.
4	TWO-WAY LEFT-TURN CENTER LINE PER DETAIL, SHEET 5.
5	4" PAINT LINE, WHITE
9	THERMOPLASTIC TRAFFIC ARROW PER WSJOT STD PLAN M-24 4D-DI.

SIGN	STATION	OFFSET	DESIGNATION	SIZE	REMARKS	NOTES
ST	29+42.5	35.0' LT	R3-17 "B&E LANE"		REMAIN	
S2	32+11	35.5' LT	R2-1 "SPURD LANE S"		REMAIN	

CHANNELIZATION & SIGNING PLAN STA 28+00 TO STA 32+50		SHEET 41 OF 90
--	--	----------------



GENERAL CHANNELIZATION NOTES

1. REMOVE ALL CONDUCTING EXISTING CHANNELIZATION
2. ALL EXISTING MATERIAL SHALL CONFORM TO THE STATE OF WASHINGTON ROAD STANDARD SPECIFICATIONS FOR ROAD, BRIDGE, AND MUNICIPAL CONSTRUCTION, LATEST EDITION, UNLESS OTHERWISE MODIFIED BY THE SPECIAL PROVISIONS
3. PRESERVE AND PROTECT ALL BUSINESS SIGNS NOT REQUIRED FOR REMOVAL OR RELOCATION
4. ALL RELOCATED SIGNS SHALL HAVE NEW POSTS AND POST BASES, SEE STANDARD SIGN INSTALLATION, SHEET 6.
5. METAL BUSH STEPS SHALL BE INSTALLED AND/OR RELOCATED BY THE SAME CONTRACTOR, COMPANY WITH THE COUNTY METRO, LOH1 1000-0000, 2005-003-10701.

CHANNELIZATION NOTES

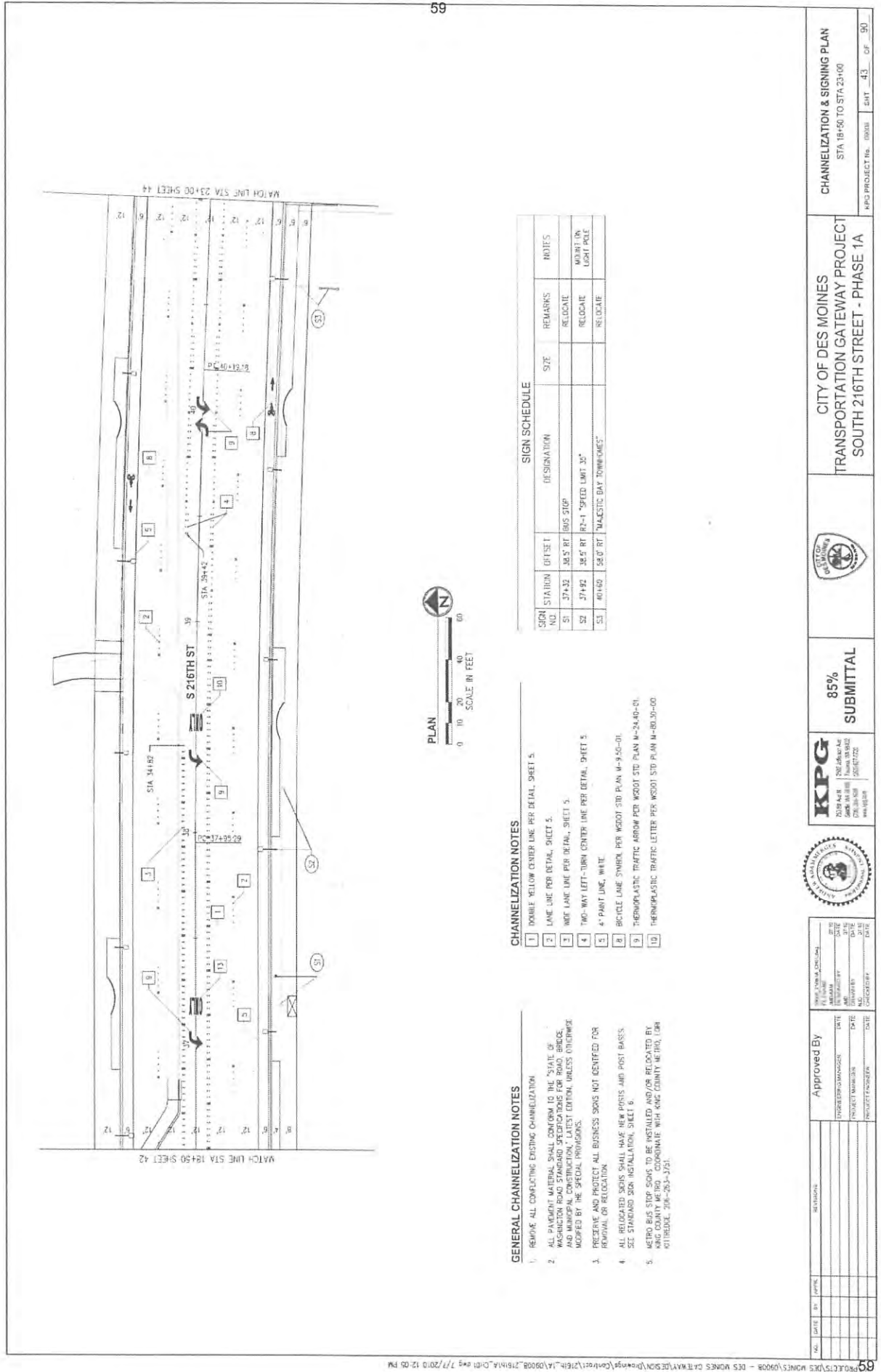
- | | |
|---|--|
| 1 | DOUBLE YELLOW CENTER LINE PER DETAIL SHEET 5. |
| 2 | LANE LINE PER DETAIL SHEET 5. |
| 3 | WIDE LANE LINE PER DETAIL SHEET 5. |
| 4 | TWO-WAY LEFT-TURN CENTER LINE PER DETAIL SHEET 5. |
| 5 | 5' PAVT LINE, WHITE. |
| 6 | REDUCING STOP LINE PER DETAIL SHEET 5. |
| 7 | THIRMASTOPPING TRAFFIC ARROW PER WSDOT STD PLAN W-24-02-01. |
| 8 | THIRMASTOPPING TRAFFIC LETTER PER WSDOT STD PLAN W-24-02-01. |
| 9 | BOTTLE LANE SWING FOR LOOP SECTION PER MATCH NO. 90-7. |

SIGN SCHEDULE

SIGN SCHEDULE						
SIGN NO.	STATION	OFFSET	DESCRIPTION	SITE	REMARKS	NOTES
S1	32+52	38.5 RT	R1-17 "BANK LINE"		REMAIN	
S2	33+00	35.0 RT	"AT RAINIER POOL"		REMAIN	
S3	33+61	58.5 LT	R15-17 "BANK LINE"		REMAIN	
S4	34+42.5	36.0 LT	"AT RAINIER POOL"		REMAIN	
S5	35+26.5	32.0 RT	"AT RAINIER POOL"		REMAIN	
S6	35+26.5	32.0 RT	"AT RAINIER POOL"		REMAIN	

PLAN





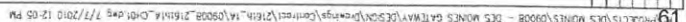


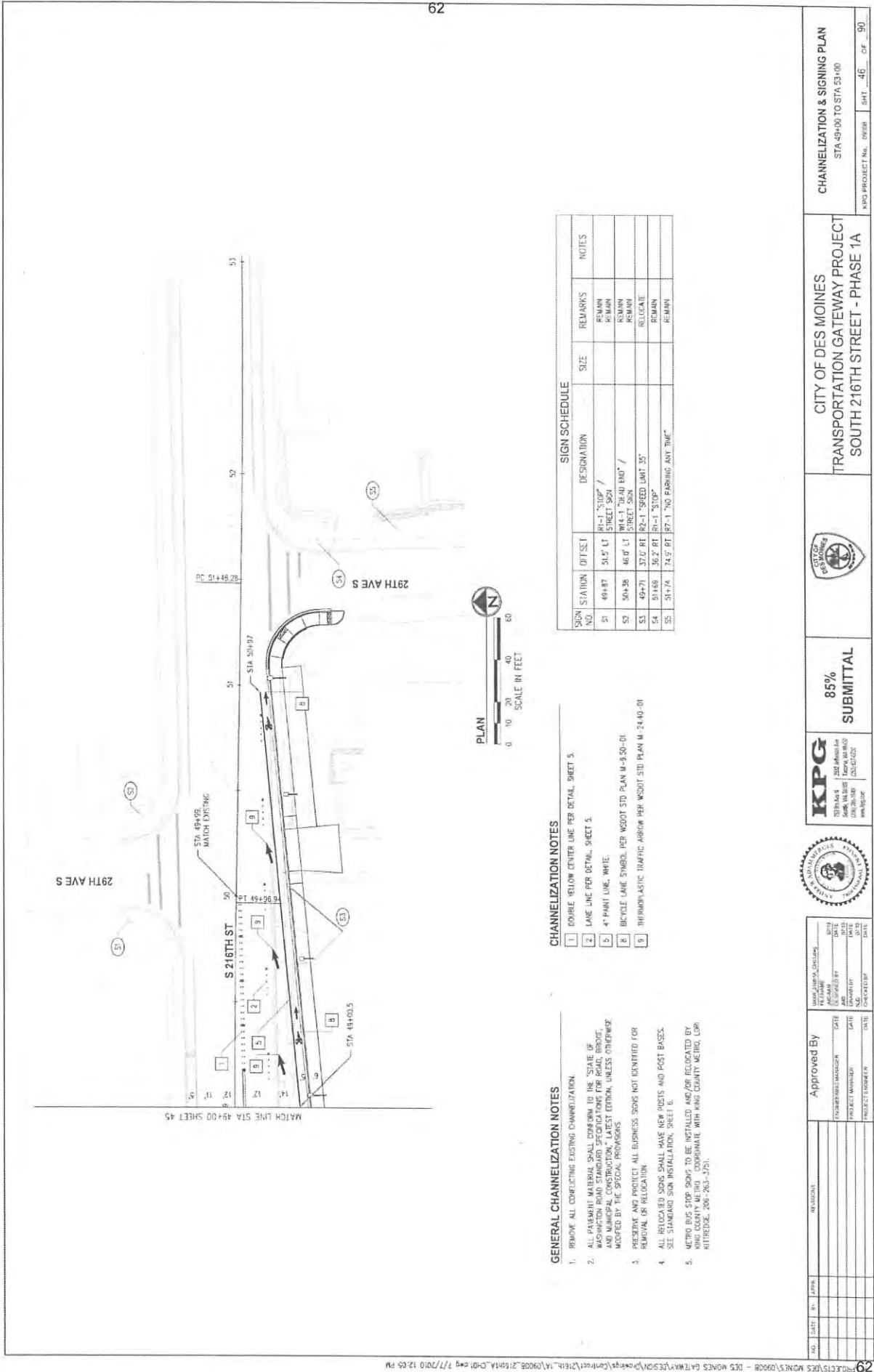
CHANNELIZATION NOTES

- | | |
|----|---|
| 2 | LANE LINE PER DETAIL, SHEET 5. |
| 3 | WIDE LANE LINE PER DETAIL, SHEET 5. |
| 4 | TWO-WAY LEFT-TURN CENTER LINE PER DETAIL, SHEET 5. |
| 5 | 4" PANT LINE, WHITE. |
| 6 | BICYCLE LANE SYMBOL PER WSDOT STD PLAN M-950-01. |
| 7 | TRUCK LANE SYMBOL PER WSDOT STD PLAN M-950-01. |
| 8 | TRUCK LANE SYMBOL PER WSDOT STD PLAN M-24-01. |
| 9 | THERMOPLASTIC TRAFFIC ARROW PER WSDOT STD PLAN M-610-01. |
| 10 | THERMOPLASTIC TRAFFIC LETTER PER WSDOT STD PLAN M-610-01. |
| 11 | 4" PANT DOUBLE YELLOW CENTER LINE. |

SIGN SCHEDULE				
SIGN NO.	STATION	OFFSET	DESIGNATION	REMARKS
S1	41+50	50'S RT	HIGHWAYS SIGN	RELOCATE
S2	42+57	35' RT	R44-4 "BEIGN TURN LANE R44-5 "BEIGN LANE R44-6 "BEIGN LANE R44-7 "BEIGN STOP	RELOCATE
S3	42+71.5	34'S LT	BEIGN STOP	RELOCATE
S4	43+25.5	30'S LT	R2-1 "SPEED LIMIT 35"	RELOCATE / NEW
S5	43+44	50' LT	R1-1 "BEIGN TURN LANE"	RELOCATE / NEW
S6	43+78	38.5' RT	R3-1 "BEIGN TURN LANE"	RELOCATE
S7	43+82	34.1' RT	R3-2 "BEIGN TURN LANE"	RELOCATE
S8	43+92	60.0' LT	BEIGN SIGN	RELOCATE

[illegible]





GENERAL CHANNELIZATION NOTES

1. REMOVE ALL CONFLICTING EXISTING CHANNELIZATION.
2. ALL CHANNELIZATION MATERIAL SHALL CONFORM TO THE "STATE OF WASHINGTON ROAD STANDARD SPECIFICATIONS FOR ROAD, BRIDGE, AND MUNICIPAL CONSTRUCTION," LATEST EDITION, UNLESS OTHERWISE MODIFIED BY THE SPECIAL PROVISIONS.
3. PRESERVE AND PROTECT ALL BUSINESS SIGNS NOT IDENTIFIED FOR REMOVAL OR RELOCATION.
4. ALL RELOCATED SIGNS SHALL HAVE NEW POSTS AND POST BASES. SEE STANDARD SIGN INSTALLATION, SHEET 1.
5. METRO BUS STOP SIGNS TO BE INSTALLED AND/OR RELOCATED BY KING COUNTY METRO. COORDINATE WITH KING COUNTY METRO, LWR, KATRED@KCMETRO.ORG, 206-263-2751.

CHANNELIZATION NOTES

1. DOUBLE YELLOW CENTER LINE PER DETAIL, SHEET 5.
2. LANE LINE PER DETAIL, SHEET 5.
3. 4" PAINT LINE, WHITE.
4. BICYCLE LANE SYMBOL PER WSDOT STD. PLAN M-9-50-01.
5. THERMOPLASTIC TRAFFIC ARROWS PER WSDOT STD. PLAN M-24-40-01.

SIGN SCHEDULE				
SIGN NO.	STATION	OFFSET	DESIGNATION	REMARKS
51	49+87	51.5' LT	W4-1 "STOP" / STREET SIGN	REMAIN
52	50+38	46.0' LT	W4-1 "STOP" / STREET SIGN	REMAIN
53	49+71	37.0' RT	R2-1 "SPEED LIMIT 35"	RELOCATE
54	51+69	36.2' RT	R1-1 "STOP"	REMAIN
55	51+74	74.5' RT	R7-1 "NO PARKING ANY TIME"	REMAIN



KPG
7010 1st Ave S, Suite 100
Des Moines, IA 50315
(515) 281-1100
www.kpginc.com



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

CHANNELIZATION & SIGNING PLAN
STA 49+00 TO STA 53+00
KPG PROJECT NO. 09008
SHT 46 OF 90



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

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

July 8, 2010

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

JUL 13 2010

orig
LW/GF
cy: DB (RM)
SR, LR

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

Dear Mr. Fredricks:

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

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

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

Sincerely,

Ruth McIntyre
Standards and Procedures Engineer
Highways & Local Programs Division

RWM:ac
Enclosure

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

Attachment 3

City of Des Moines Right-of-Way Procedures

AGENCY: City of Des Moines, WA

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

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

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

(1) PROGRAM ADMINISTRATION

Agency Position: Planning, Building and Public Works Director

(2) APPRAISAL

Agency Position: Qualified Consultant

(3) APPRAISAL REVIEW

Agency Position: Qualified Consultant

(4) ACQUISITION

Agency Position: Qualified Consultant

(5) RELOCATION

Agency Position: Qualified Consultant

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

(6) PROPERTY MANAGEMENT

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

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

CITY OF DES MOINES

Approved By: 
Anthony A. Piasecki, City Manager

Date 6/14/10

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

WASHINGTON STATE DEPARTMENT
OF TRANSPORTATION

Approved By: 
Real Estate Services

Date 6/30/10

WAIVER OF APPRAISAL

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

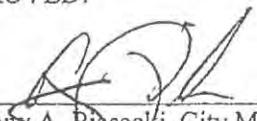
Rules

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

Procedures

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

APPROVED:



Anthony A. Piasecki, City Manager
City of Des Moines

Date

6/14/10



Real Estate Services
Washington State Department
of Transportation

Date

6/30/10

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

ADMINISTRATIVE SETTLEMENT PROCEDURES

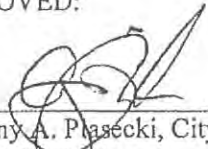
The City of Des Moines, Washington, shall to the greatest extent possible, expeditiously negotiate all fair market value offers for the acquisition of real property. However, the City recognizes the fact that differences of fair market value may occur with the property owner. These differences typically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

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

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

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

APPROVED:



Anthony A. Plasecki, City Manager
City of Des Moines



Real Estate Services
Washington State Department of
Transportation

Date

6/14/10

Date

6/30/10

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

AGENCY STAFF POSITIONS & QUALIFICATIONS

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

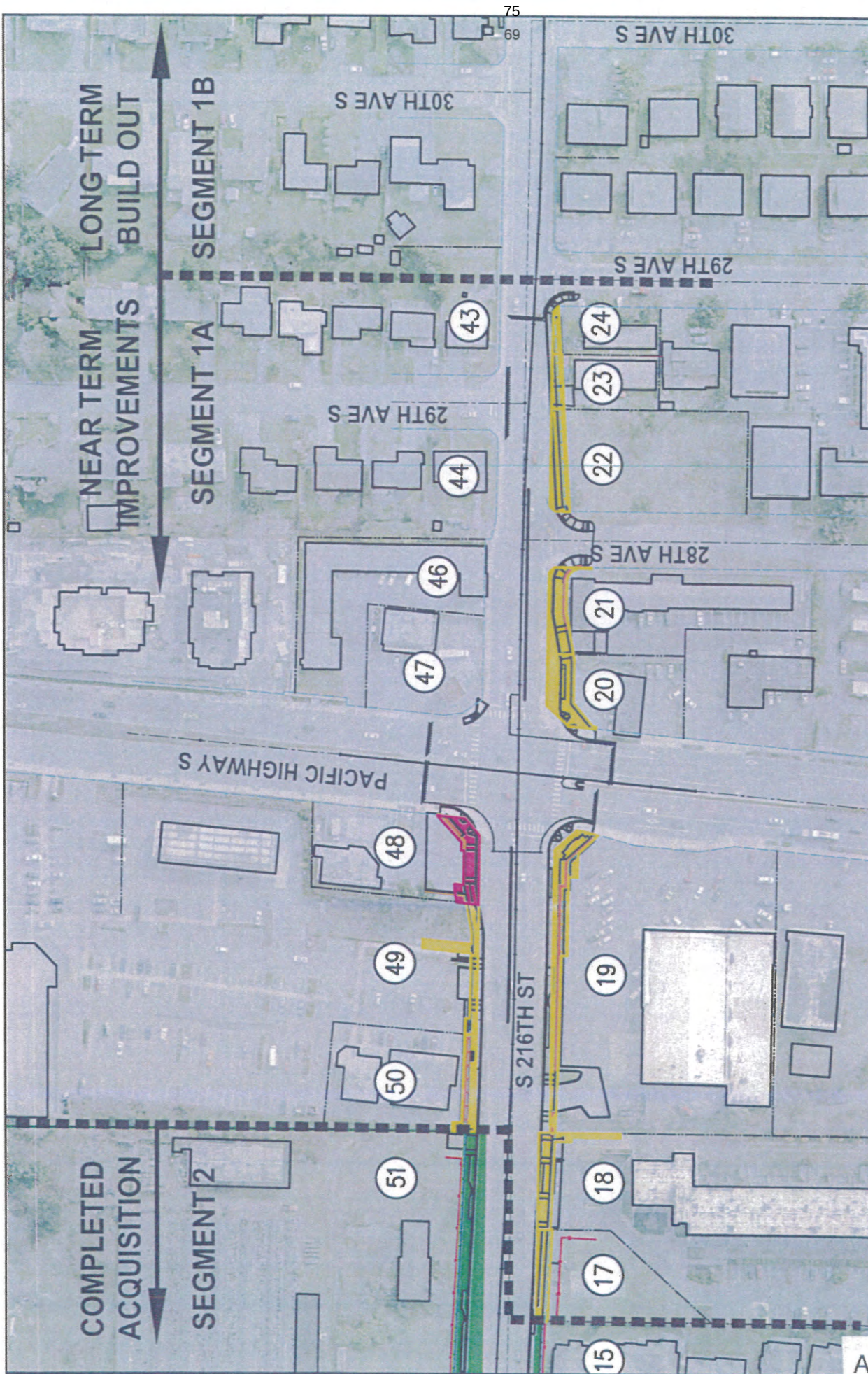
Planning, Building and Public Works Director: Grant Fredricks, PE

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

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

Finance Director: Paula Henderson

City Attorney: Pat Bosmans



NOTES:
 ROW ACQUISITION COMPLETE
 ROW ACQUISITION PENDING
 ROW ACQUISITION INACTIVE

CITY OF DES MOINES
 TRANSPORTATION GATEWAY PROJECT
 SOUTH 216TH STREET - SEGMENT 1A
 ROW & EASEMENT ACQUISITION
 FEBRUARY 2013





2013 - 2018 CAPITAL IMPROVEMENT PLAN Transportation CIP Fund

CAPITAL IMPROVEMENT PLAN REQUEST FORM

CATEGORY	Transportation	PROJECT NO.	319,332
PROGRAM	Des Moines Transportation Gateway	Project Type:	Capacity
PROJECT	South 216th Street Improvement - Segment 1-A (29th to 24th)	Council Goals met:	1, 2, 3
		Council Objectives met:	
		Project Status	Adopted

LOCATION S, 216th St - 29th Avenue to 24th Avenue South including the Pacific Highway South Intersection

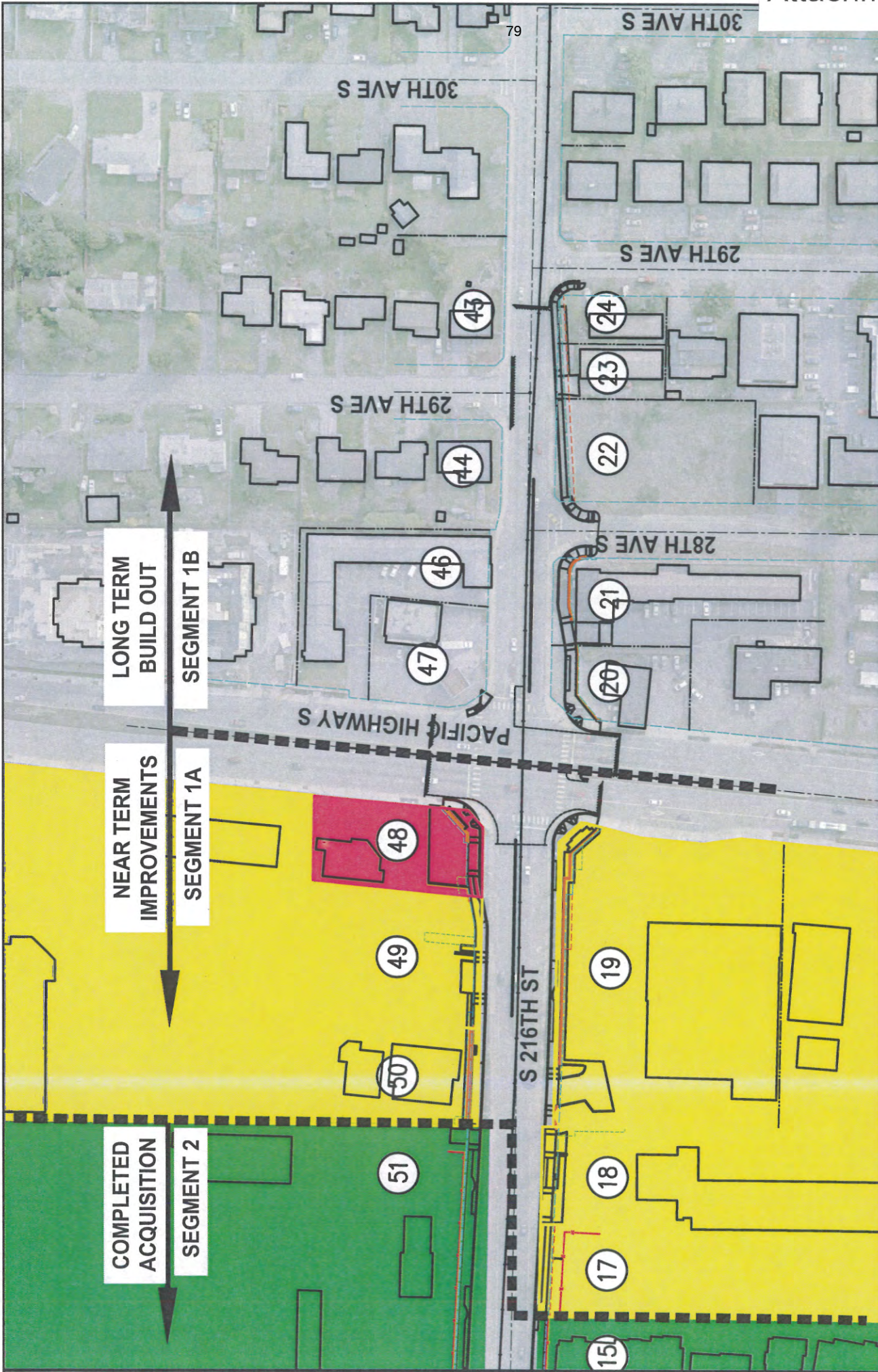
DESCRIPTION: Widen roadway to 5 lanes with a continuous left turn lane, bicycle lanes, sidewalks planter strips and U-turn pockets at Pacific Highway S. Formerly S, 216th St, Segment 1 (I-5 to 24th Avenue S), this project is the first of two stages.

EXPENDITURE SCHEDULE

COST ELEMENTS	TOTAL*	FY 09 Act	FY 10 Act	FY 11 Act	FY 12 Est	FY 12 Amend	FY 13	FY 14	FY 15	FY 16	FY 17	FY 18
ADMIN (CITY STAFF)	\$ 269,703	\$ 16,235	\$ 17,939	\$ 10,529	\$ 10,000	\$ 25,471	\$ 10,000	\$ 20,000	\$ 20,000	\$ 35,000	\$ 80,000	\$ 50,000
CIP PROJ MANAGEMENT	50,000	-	-	-	-	-	-	5,000	5,000	5,000	20,000	15,000
DESIGN / ENGINEERING	794,965	296,604	190,890	138,354	25,000	109,117	84,117	15,000	15,000	15,000	15,000	
LAND	1,700,000							200,000	400,000	600,000	500,000	
ROW SERVICES	510,000							90,000	90,000	180,000	150,000	
IMPROVEMENTS	3,924,530										2,353,000	1,571,530
INSPECTION	490,972										282,360	208,612
CONTINGENCY	610,000						10,000	30,000	30,000	60,000	310,000	170,000
Utility Undergrounding	127,400											
Highline Water District	39,500										39,500	127,400
OTHER	-											
TOTAL	\$ 8,517,070	\$ 312,839	\$ 208,829	\$ 148,883	\$ 35,000	\$ 159,588	\$ 104,117	\$ 360,000	\$ 560,000	\$ 895,000	\$ 3,749,860	\$ 2,142,542

FUNDING SOURCES	TOTAL*	FY 09 Act	FY 10 Act	FY 11 Act	FY 12 Est	FY 12 Amend	FY 13	FY 14	FY 15	FY 16	FY 17	FY 18
PWTF Loan (confirmed)	\$ 325,000	\$ 243,750	\$ 67,500	\$ 13,750		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Federal STP (Unconfirmed)	2,500,000							100,000	100,000	175,000	1,500,000	1,000,000
Federal Grant (Unconfirmed)	800,000							5,000	25,000	30,000	225,000	200,000
TRAFFIC IMPACT FEES	120,000							230,000	430,000	660,000	30,000	30,000
IN-LIEU FEES (unconfirmed) 1/4	2,104,116										700,000	84,116
TIB (Unconfirmed)	2,000,000										1,200,000	800,000
Highline Water District	39,500										39,500	
2008 Bond Proceeds	-		13,750	(13,750)								
Transportation CIP Fund	628,454	69,089	127,579	148,883	35,000	159,588	104,117	25,000	5,000	30,000	55,360	28,426
TOTAL	\$ 8,517,070	\$ 312,839	\$ 208,829	\$ 148,883	\$ 35,000	\$ 159,588	\$ 104,117	\$ 360,000	\$ 560,000	\$ 895,000	\$ 3,749,860	\$ 2,142,542

cludes FY 12 Amd



OPTION 2
REVISED 1A/1B
PROJECT LIMITS

NOTES:

- ROW ACQUISITION COMPLETE
- ROW ACQUISITION PENDING
- ROW ACQUISITION - SEGMENT 1A

CITY OF DES MOINES
TRANSPORTATION GATEWAY PROJECT
SOUTH 216TH STREET - SEGMENT 1A
ROW ACQUISITION STATUS - RECOMMENDED
FEBRUARY 2014





2014 - 2019 CAPITAL IMPROVEMENT PLAN Transportation CIP Fund

CAPITAL IMPROVEMENT PLAN REQUEST FORM

CATEGORY	Transportation	PROJECT NO.	319,332
PROGRAM	Des Moines Transportation Gateway	Project Type:	Capacity
PROJECT	South 216th Street Improvement - Segment 1-A (29th to 24th)	Council Goals met:	1, 2, 3
		Project Objectives met:	Adopted
		Project Status	

LOCATION	S. 216th St - 28th Avenue to 24th Avenue South including the Pacific Highway South Intersection
DESCRIPTION:	Widen roadway to 5 lanes with a continuous left turn lane, bicycle lanes, sidewalks planter strips and U-turn pockets at Pacific Highway S. Formerly S. 216th St, Segment 1 (I-5 to 24th Avenue S), this project is the first of two stages.

EXPENDITURE SCHEDULE

COST ELEMENTS	TOTAL*	FY 09 Act	FY 10 Act	FY 11 Act	FY 12 Act	FY 13 Est	FY 13 Amend	FY 14	FY 15	FY 16	FY 17	FY 18	FY 19
ADMIN (CITY STAFF)	\$ 292,851	\$ 16,235	\$ 17,939	\$ 10,529	\$ 3,148	\$ 10,000	\$ 10,000	\$ 30,000	\$ 30,000	\$ 35,000	\$ 40,000	\$ 50,000	\$ 50,000
CIP PROJ MANAGEMENT	50,000										15,000	20,000	15,000
DESIGN / ENGINEERING	808,115	296,604	190,890	138,354	8,150	84,117	84,117	15,000	15,000	15,000	15,000	15,000	15,000
LAND	1,282,500					132,500	132,500	150,000	250,000	200,000	350,000	200,000	
ROW SERVICES	463,952				19,822	39,130	39,130	80,000	90,000	85,000	100,000	50,000	
IMPROVEMENTS	3,927,530												
INSPECTION	417,224											2,353,000	1,574,530
CONTINGENCY	740,000						10,000	50,000	70,000	65,000	85,000	208,612	208,612
Utility Undergrounding	127,400											300,000	170,000
Highline Water District	39,500											127,400	
OTHER	-											39,500	
TOTAL	\$ 8,149,072	\$ 312,839	\$ 208,829	\$ 148,883	\$ 31,120	\$ 265,747	\$ 275,747	\$ 325,000	\$ 455,000	\$ 400,000	\$ 605,000	\$ 3,363,512	\$ 2,033,142

FUNDING SOURCES	TOTAL*	FY 09 Act	FY 10 Act	FY 11 Act	FY 12 Act	FY 13 Est	FY 13 Amend	FY 14	FY 15	FY 16	FY 17	FY 18	FY 19
PWTF Loan (confirmed)	\$ 325,000	\$ 243,750	\$ 67,500	\$ 13,750	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Federal STP (Unconfirmed)	2,500,000											1,500,000	1,000,000
Federal Grant (Unconfirmed)	-												
TRAFFIC IMPACT FEES	800,000							50,000	150,000	250,000	150,000	100,000	100,000
IN-LIEU FEES (unconfirmed) 1/4	1,300,000								250,000	350,000	275,000	225,000	200,000
TIB (Unconfirmed)	2,500,000										250,000	1,500,000	750,000
Highline Water District	39,500		13,750	(13,750)								39,500	
2008 Bond Proceeds	-	69,089	127,579	148,883	31,120	265,747	275,747	275,000	55,000	(200,000)	(70,000)	(988)	(16,858)
Transportation CIP Fund	684,572												
TOTAL	\$ 8,149,072	\$ 312,839	\$ 208,829	\$ 148,883	\$ 31,120	\$ 265,747	\$ 275,747	\$ 325,000	\$ 455,000	\$ 400,000	\$ 605,000	\$ 3,363,512	\$ 2,033,142

*Excludes FY 13 Amend



2014 - 2019 CAPITAL IMPROVEMENT PLAN Transportation CIP Fund

CAPITAL IMPROVEMENT PLAN REQUEST FORM

CATEGORY PROGRAM PROJECT	Transportation	PROJECT NO.	319.332
	Des Moines Transportation Gateway	Project Type:	Capacity
	South 216th Street Improvement - Segment 1-A (29th to 24th)	Council Goals met:	1, 2, 3
		Council Objectives met:	Adopted
		Project Status	

LOCATION

S. 216th St - 29th Avenue to 24th Avenue South including the Pacific Highway South Intersection

JUSTIFICATION:

The need for capacity increases, pedestrian, bicycle and transit facilities along South 216th Street is identified in the City's Comprehensive Transportation Plan and the Six Year Transportation Improvement Plan. South 216th Street has numerous retail and multi-family developments that generate pedestrian and bicycle traffic along the shoulder of the road. Pedestrians use this route to access bus stops, city buildings, and the Pacific Highway Corridor. Given the eventual development of the Des Moines Creek Business Park and other potential developments, additional capacity improvements will be needed to maintain concurrency and support development activity. With pending development in the immediate area, planning and design for the South 216th Street corridor cannot be delayed. Design is funded by a PWTF loan. The City will need to secure "outside" funding sources for right of way acquisition and construction.

A 30% design report (Transportation Gateway Project) was completed in December 2009. The report includes design recommendations for Segment 1, I-5 to 24th Avenue S., described in the 2009 capital budget. Given the lack of foreseeable funding to replace and expand the I-5 overcrossing to 4 lanes, staging is recommended to transition the S. 216th St roadway, bicycle lanes and sidewalk back to the current 3 lane configuration east of 29th Avenue S. Segment 1-B, I-5 to Pacific Highway S., will remain a capital improvement in the long range plan awaiting SR509 funding to replace and widen the I-5 bridge overpass.

SCOPE OF WORK:

An 85% design level estimate of probable right-of-way and construction costs are included herein for Segment 1A. The project includes the following improvements: installation of curbs, gutters and sidewalks on both sides of the street, bicycle lanes, transit stop improvements, planters, widening the road with asphalt pavement to four lanes with a center left turn lane and U-turn pockets at Pacific Highway S., improvements to the existing closed drainage system, pedestrian and street lighting, and undergrounding of overhead communication and electrical distribution wires. The scope includes engineering, environmental analysis, permit documents, and preparation of final plans, specifications and cost estimates by a consultant scheduled to be completed by March, 2011. A right of way plan will be adopted, however, right of way acquisition procedures and construction will not be initiated until outside sources of funding can be secured.

A G E N D A I T E M

BUSINESS OF THE CITY COUNCIL City of Des Moines, WA

SUBJECT: Public Hearing for Draft Ordinance
13-279, Modification of parking provisions

ATTACHMENTS:

1. Draft Ordinance 13-279

FOR AGENDA OF: March 13, 2014

DEPT. OF ORIGIN: Economic Development

DATE SUBMITTED: March 5, 2014

CLEARANCES:

☒ Legal DB

☐ Finance N/A

☐ Marina N/A

☐ Parks, Recreation & Senior Services N/A

☒ Planning, Building & Public Works DB

☐ Police N/A

☒ Economic Development Manager [Signature]

APPROVED BY CITY MANAGER
FOR SUBMITTAL: [Signature]

Purpose and Recommendation

The purpose of this agenda item is for City Council to consider Draft Ordinance 13-279, amending DMMC 18.210.070(3), Modification of parking provisions. Should the City Council decide to extend the waiver for commercial parking spaces in the Marina District, they can do so by passing the following motions:

Suggested Motions

Motion 1: "I move to suspend City Council Rule 26(a) to consider Draft Ordinance 13-279 on first reading."

Motion 2: "I move to enact Draft Ordinance No. 13-279 amending DMMC 18.210.070(3), Modification of parking provisions."

OR

Alternate Motion: "I move to pass Draft Ordinance No.13-279 amending DMMC 18.210.070(3), Modification of parking provisions, to a second reading on _____ or as soon thereafter as the matter may be heard, or scheduled by the mayor."

Background

In November 2009, the City Council approved a temporary waiver of the commercial parking requirement in the Downtown Commercial (D-C) zone in order to facilitate redevelopment in the Marina District. The waiver has since been extended twice, and expired on December 31, 2013. The Finance and Economic Development Committee has reviewed the Draft Ordinance which would extend the waiver to June 30, 2015, and the Committee recommended that it be brought to the full Council for consideration.

Discussion

Because many parcels in the D-C zone are small in size, particularly on Marine View Drive, they conceivably could not redevelop and at the same time accommodate the number of parking spaces required by the DMMC, without the waiver in place. When sites are considered in conjunction with dimensional requirements such as height limits, they may be constrained as to maximum developable square footage. Required parking per DMMC may not leave enough available space on the site to justify redevelopment.

The City Council's continued support of the redevelopment of the Marina District as a commercially viable mixed use neighborhood is essential; it has become clear that many Marina District properties are not improved to the extent presently allowed by the City of Des Moines Comprehensive Plan and the Zoning Code. Commercial parking requirements in the D-C zone could make it uneconomically feasible for property owners to redevelop their properties under current and projected future market conditions.

Strategy 2-04-08 of the Land Use Element of the Comprehensive Plan states that the City should encourage improvement of the Marina District Neighborhood by working with the business community and other representative organizations to achieve the goals of the City of Des Moines Comprehensive Plan.

Alternatives

The City Council may:

1. Enact the Draft Ordinance.
2. Enact the Draft Ordinance with a different expiration date.
3. Pass the Draft Ordinance to a second reading on a date to be specified.
4. Decline to enact the Draft Ordinance.

Financial Impact

If development projects are able to move forward due to the waiver, the impact is positive. There are several potential projects that would benefit from the waiver.

Recommendation or Conclusion

Staff recommends that the City Council enact Draft Ordinance 13- 279 as written or amend the Resolutions to establish a different expiration date.

CITY ATTORNEY'S FIRST DRAFT 02/4/2014

DRAFT ORDINANCE NO. 13-279

AN ORDINANCE OF THE CITY OF DES MOINES, WASHINGTON relating to the Des Moines Parking Code amending DMMC 18.210.070.

WHEREAS, DMMC 18.210 establishes regulations for loading areas and off-street parking throughout the City as well as in the Downtown Commercial zone specifically, and

WHEREAS, the City Council supports reducing restrictive development regulations in the Marina District to facilitate redevelopment as a commercially viable mixed use neighborhood, and

WHEREAS, many Marina District properties are not improved to the extent presently allowed by the City of Des Moines Comprehensive Plan and the Zoning Code and are unlikely to be redeveloped in the near future without continued waiver of the downtown commercial zone parking requirement, and

WHEREAS, current parking regulations in the Marina District commercial zone appear to be unduly burdensome and restrictive, helping to make it uneconomically feasible for property owners to redevelop their properties under current and projected future market conditions, and

WHEREAS, the City Council directed City staff to prepare an ordinance for its consideration which would continue a waiver of the commercial parking requirement for the Marina District, and

WHEREAS, pursuant to DMMC 18.20.080, amendment of the Zoning Code (Title 18 DMMC) is a legislative (Type VI) land use decision, and

WHEREAS, pursuant to DMMC 18.20.210, amendments to the Zoning Code (Title 18 DMMC) require the City Council to conduct a public hearing to receive public comment regarding this proposal, and

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Draft Ordinance No. 13-279

Ordinance No. ____
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WHEREAS, DMMC 18.30.100(3) requires that the date of the public hearing to consider amendments to Title 18 DMMC be set by motion of the City Council, and

WHEREAS, the City Council set the date for the public hearing by Resolution No. 1249, fixing the public hearing for March 13, 2014, and

WHEREAS, the textual code amendments proposed in this Ordinance were provided to the Department of Commerce as required by RCW 36.70A.106, and

WHEREAS, notice of the public hearing was issued on February 26, 2014 in accordance with the DMMC, and

WHEREAS, a public hearing was held on March 13, 2014 and all persons wishing to be heard were heard, and

WHEREAS, the City Council finds that the amendments contained in this Ordinance are appropriate and necessary; now therefore,

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

Sec. 1. DMMC 18.210.070 and section 511 of Ordinance No. 1591, Modification of parking provisions, are amended to read as follows:

(1) Number of spaces. The City Manager or the City Manager's designee may, by formal action, waive or modify the number of spaces required, establishing the amount of required parking for uses involving very limited number of employees or which do not require personnel and daily attendance or for which the number of parking spaces proposed is demonstrated sufficient to fully serve the use, is consistent with the intent of this chapter and when strict application of the code would result in unnecessary hardship. The Institute of Transportation Engineers (ITE) Parking Generation

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Manual or an independent consultant study are examples that could be used to demonstrate sufficiency of proposed parking.

(2) Dimensions. In cases where the strict application of this Title would unreasonably limit full utilization of a site for parking, the code official may authorize a reduction of up to three percent of any minimum dimension required in this chapter, except where such reduction would substantially restrict ease of travel or maneuverability of vehicles using the parking facility.

(3) Marina District. The parking provisions for commercial uses established by DMMC 18.210.090 are waived; provided, that there is compliance with all the following standards:

(a) The property is zoned downtown commercial according to the official zoning map.

(b) Residential uses within a mixed-use development are not included in this exemption. Residential uses in a mixed use building shall comply with the requirements established by DMMC 18.210.090.

(c) The property owner shall enter into a no protest agreement regarding the formation of a downtown business or parking improvement district.

(d) This provision is only valid until ~~December 31, 2013.~~ June 30, 2015.

(4) Interim uses. The City Manager or City Manager's designee may, by formal action, waive or modify other requirements of this chapter for uses not to exceed five (5) years including but not limited to exceptions for non-conflicting time

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in use and design requirements in DMMC 18.210.220 through 18.240 for commercial developments, upon approval of a plan that is consistent with the intent of this chapter and when strict application of the code would result in unnecessary hardship. The site plan showing the location of the parking on the property and parking plan must include provisions for:

(a) Improved parking meeting all City design requirements meeting at least fifty (50) percent of the required parking.

(b) User safety, including lighting and site security.

(c) The required number of ADA parking stalls per the International Building Code and required pedestrian access to and from the building for physically disabled as well as able bodied.

(d) Adequate site drainage.

(e) Safe vehicle access to and egress from the parking lot.

(f) A parking operations plan including:

(i) The hours of operations;

(ii) A detailed description of the parking operation including methods to control noise, glare from impacting adjacent properties, and methods to eliminate any impacts on adjacent or nearby residential neighborhoods;

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(iii) The name, address and phone number of the operator of the parking.

(5) Assurances and guarantees to suspend interim parking use at the end of the permitted period unless extended and restore the site.

The interim use may be extended an additional three (3) years upon application. In approving the plan or the extension request, the City Manager or the City Manager's designee may impose additional conditions including but not limited to a requirement for the applicant to post a performance bond or other security guaranteeing that it will cease the interim use at the end of approved period.

Sec. 2. Severability - Construction.

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

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

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

PASSED BY the City Council of the City of Des Moines this ____ day of _____, 2014 and signed in authentication thereof this ____ day of _____, 2014.

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M A Y O R

APPROVED AS TO FORM:

City Attorney

ATTEST:

City Clerk

Published: _____

Effective Date: _____

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