

AMENDED AGENDA
DES MOINES CITY COUNCIL
REGULAR MEETING
City Council Chambers
21630 11th Avenue S, Des Moines, Washington
April 7, 2016 – 7:00 p.m.

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

CORRESPONDENCE

COMMENTS FROM THE PUBLIC

EXECUTIVE SESSION

BOARD AND COMMITTEE REPORTS/COUNCILMEMBER COMMENTS

PRESIDING OFFICER'S REPORT

ADMINISTRATION REPORT

Item 1: EMERGING ISSUES

Item 2: UPDATE ON FRANCHISE AGREEMENT DISCUSSION

CONSENT AGENDA

Page 1 Item 1: DRAFT ORDINANCE 16-044; 2016 BUDGET AMENDMENT, AND TASK ORDER ASSIGNMENT FOR THE S 251ST STORM OUTFALL PROJECT
Motion 1 is to suspend Rule 26(a) in order to enact Draft Ordinance No. 16-044 on first reading.

Motion 1b is to enact Draft Ordinance 16-044, amending the 2016 Capital Budget to include the S 251st Street Storm Outfall Project in the amount of \$370,000.

Motion 2 is to approve the Task Order Assignment with KPG, that will provide for design and permitting services associated with the S. 251st Street Storm Outfall Project in the amount of \$95,700.84, plus a 10% contingency and further authorize the City Manager to sign Said Task Order assignment, substantially in the form as submitted.

OLD BUSINESS

Page 21 Item 1: OPTIONS FOR PAY PARKING IN THE MARINA AND BEACH PARK
Staff Presentation: Harbormaster Joe Dusenbury

Page 47 Item 2: RECONSIDERATION OF DRAFT ORDINANCE NO. 16-018; AUTOMATED
RED-LIGHT RUNNING ENFORCEMENT CAMERAS
Staff Presentation: Planning, Building and Public Works
Director Dan Brewer

NEXT MEETING DATE

April 14, 2016 Regular City Council Meeting

ADJOURNMENT

AGENDA ITEM

BUSINESS OF THE CITY COUNCIL City of Des Moines, WA

SUBJECT: Draft Ordinance 16-044: 2016
Budget Amendment, and Task
Order Assignment for the S. 251st
Storm Outfall Project

ATTACHMENTS:

1. Draft Ordinance 16-044
2. KPG Task Order Assignment
3. Proposed Project SWM CIP Worksheet

AGENDA OF: April 7, 2016

DEPT. OF ORIGIN: Planning, Building & Public
Works

DATE SUBMITTED: March 29, 2016

CLEARANCES

- ☒ Legal PB
☒ Finance Am
☐ Marina N/A
☐ Parks, Recreation & Senior Services N/A
☒ Planning, Building & Public Works PJB
☐ Police N/A

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

Purpose:

The purpose of this agenda item is for the Council to consider Draft Ordinance 16-044 amending the 2016 Capital Budget to include the South 251st Street Storm Outfall Project (Attachment 1), and to seek Council approval of a Task Order Assignment with KPG (Attachment 2) that will provide design and permitting services associated with the S. 251st Street Storm Outfall Project. This project is the final repair work following the emergency repair (temporary) made in November/December. Heavy rains caused the land mass located downhill and adjacent to the landslide repair work made on South 251st Street in 2014 to become unstable and undermine the stormwater discharge diffuser. This threatened to undermine the retaining wall that supports the road and utilities on South 251st Street. While the temporary emergency work was made under a Proclamation of Emergency made last year, the permanent work will be made as a separate project and will follow the competitive bidding requirements for contracts. The following motions will appear on the Consent Calendar:

Suggested Motions

Motion 1a: "I move to suspend Rule 26(a) in order to enact Draft Ordinance No. 16-044 on first reading."

Motion 1b: “I move to enact Draft Ordinance 16-044, amending the 2016 Capital Budget to include the S. 251st Street Storm Outfall Project in the amount of \$370,000.”

Motion 2: “I move to approve the Task Order Assignment with KPG, that will provide for design and permitting services associated with the S. 251st Street Storm Outfall Project in the amount of \$95,700.84, plus a 10% contingency and further authorize the City Manager to sign said Task Order Assignment, substantially in the form as submitted.”

Background and Discussion:

On October 31, 2015, following heavy rains, the land mass located downhill and adjacent to the landslide repair work made on South 251st Street in 2014 became unstable and undermined the stormwater discharge diffuser which threatened to undermine the retaining wall supporting the road and utilities. In response, a Proclamation of Emergency was issued by the City Manager on November 3, 2015 waiving competitive bidding requirements and award of professional services and public works contracts for any emergency related work. The City Council was briefed on the situation at the November 5, 2015 Council meeting.

The City contracted with KPG, to provide an emergency design services to stabilize the area, temporarily extend the storm drainage outfall away from the retaining wall, to buttress the wall with rock, and to again stabilize the area for public safety. The City also contracted with Scarsella Bros., Inc. to perform the emergency stabilization work as directed by KPG and the City.

This Task Order will develop permanent design solution that meets the Hydraulic Project Approval (HPA) from the Washington Department of Fish and Wildlife (WDFW) for the outfall and to repair the failed slope. The task order includes preliminary engineering to explore alternative designs for a new storm outfall extension into the ravine and anchoring systems to the existing retaining wall as well as alternative designs for an outfall energy dissipator at the terminus of the pipe as considered appropriate by WDFW. The task also includes preparing the SEPA Checklist, permit applications, and final bid documents in preparation for construction for late summer of this year or the summer of 2017, depending on the conditions/status of the project permits.

Alternatives:

None recommended. The Task Order Assignment includes preliminary engineering to evaluate alternatives for a permanent solution. Although the temporary repairs held up well over the winter, a permanent repair for the site needs to be made. The temporary repair was only allowed by Washington Department of Fish and Wildlife (WDFW), with the understanding that the City would follow up with a Hydraulic Project Approval (HPA) for the permanent repair.

Financial Impact:

Costs for the emergency repairs made in late last year came to \$37,426 and is accounted for under a 2015 Capital Budget amendment. Costs for the permanent repairs is estimated at \$370,000 as shown on Attachment 3. The proposed amendment covers the cost for this Task Order Assignment, as well as a place holder in the amount of \$150,000 for the permanent improvements, \$40,000 for consultant construction services, \$20,000 for city administration costs, and a \$60,000 project contingency.

In order to include this project in the 2016 Capital Budget, the construction phase for the 24th Avenue Pipeline project will need to be delayed to 2017. This would have occurred anyway given coordination with other transportation CIP projects.

Recommendation/Conclusion:

Staff requests that Council approve the proposed motions.

Budget amendments are required only when the appropriation level in a fund is being changed. Per RCW 35A.33.120, adoption of a budget amendment ordinance requires an affirmative vote of one more than the majority of all members of the City Council (5 votes): 1) if an emergency is declared and the City Council approved expenditures incident to the emergency event, and 2) if appropriations are being decreased in any fund.

Concurrence:

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

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CITY ATTORNEY'S FIRST DRAFT 03/30/2016**DRAFT ORDINANCE NO. 16-044**

AN ORDINANCE OF THE CITY OF DES MOINES, WASHINGTON relating to municipal finance, amending Ordinance No. 1640 (uncodified) (Budget 2016), and authorizing certain expenditures in the amounts specified in this Ordinance.

WHEREAS, the City Council finds that current and capital revenues and expenditures for the City differ from forecasts used to create the 2016 budget, enacted by Ordinance No. 1640, and further finds that such differences justify certain adjustments regarding obligations incurred and expenditures of proceeds for fiscal year 2016, and

WHEREAS, the City Council finds that the 2016 budget amendments to the City's budget are in the public interest; now therefore,

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

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

Sec. 2. Amendment to 2016 Budget. Exhibit "B" of Ordinance No. 1640 (uncodified) (2016 Budget) is amended to add a new construction project number 451.827 titled "South 251st Storm Outfall" and to increase the total authorized 2016 Capital Budget by three hundred seventy thousand dollars (\$370,000).

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

Sec. 4. Severability - Construction.

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

Ordinance No. _____
 Page 2 of 6

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

Sec 5. Effective date. This Ordinance shall take effect and be in full force five (5) days after its final passage and approval by the City Council according to law.

PASSED BY the City Council of the City of Des Moines this ____ day of _____, 2016 and signed in authentication thereof this ____ day of _____, 2016.

 M A Y O R

APPROVED AS TO FORM:

 City Attorney

ATTEST:

 City Clerk

Published: _____

Formal Task Assignment Document

Task Number 2016-01

The general provisions and clauses of Agreement 2016-2017 On-Call General Civil Engineering Services shall be in full force and effect for this Task Assignment

Location of Project: S 251st Street, between 10th Avenue S and 11th Avenue S

Project Title: S 251st Street Storm Outfall Project

Maximum Amount Payable Per Task Assignment: \$95,700.84

Completion Date: December 31, 2016

Description of Work:

S 251st Street in the vicinity of 10th Avenue S is supported on a fill embankment and MSE wall structure constructed over an historic ravine. A 24" stormwater outfall pipe and T-shaped outfall structure discharges water below and in front of the MSE wall structure and has recently caused severe erosion and sloughing. Temporary emergency repairs were performed in 2015.

This task order will develop a design solution that will meet HPA requirements for the outfall and repair the failed slope in accordance with the attached Exhibit A.

Attachments:

- Exhibit A – Scope of Work
- Exhibit B – Estimated Budget

Agency Project Manager Signature: _____ Date: _____

Oral Authorization Date: _____ Date: _____

Consultant Signature:  Date: 3/29/2016

Agency Approving Authority: _____ Date: _____

EXHIBIT A

City of Des Moines S 251st Street Emergency Repairs Design and Permitting of Final Repairs

KPG
Scope of Work
March 18, 2016

Purpose

S 251st Street in the vicinity of 10th Avenue S is supported on a fill embankment and MSE wall structure constructed over an historic ravine. A 24" stormwater outfall pipe and T-shaped outfall structure discharges water below and in front of the MSE wall structure and has recently caused severe erosion and sloughing.

Under a separate task order, KPG assisted the City with interim emergency repair measures, which resulted in construction of a rock outfall pad at the base of the fill slope and a temporary extension of the existing outfall pipe to the new rock pad. This work also included assistance in obtaining an emergency Hydraulic Project Approval (HPA) from the Washington Department of Fish and Wildlife (WDFW), field support by KPG staff during construction, and geotechnical support provided by GeoDesign as a subconsultant to KPG. The initial task order also included performing a field survey of the roadway, wall, slope failure, new outfall pad, and downstream channel.

This task order will develop a design solution that will meet HPA requirements for the outfall and repair the failed slope. The specific tasks to be performed as part of this scope of work include:

Task 1 Project Management/Coordination/Administration

- 1.1 Provide overall project management including:
 - ◆ Project staff management and coordination
 - ◆ Subconsultant management and coordination
 - ◆ Prepare and update project schedule
 - ◆ Schedule and budget monitoring
- 1.2 Coordinate with City staff:
 - Meeting with City staff to discuss preliminary design alternatives
- 1.3 Provide QA / QC reviews by senior staff of deliverables prior to submittal to the City.

Deliverables

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

Task 2 Geotechnical Services

- 2.1 Support needed from GeoDesign to provide recommendations for repair of the slope failure,

recommendations for anchoring a new outfall pipe, and assistance with the design of an energy dissipater (sizing rocks, etc.)

Assumptions

- ◆ No additional field boring will be required. An allowance of \$15,000 is included for evaluation of alternatives and design support.

Deliverables

- ◆ An electronic copy (in pdf format) of the Draft Geotechnical Memo.
- ◆ An electronic copy (in pdf format) and three hard copies of the Final Geotechnical Memo.

Task 3 Preliminary Engineering

- 3.1 Compile and review data and records from the City, including record drawings, GIS data, and relevant previously-prepared reports. Document the design criteria that will be used to develop and evaluate alternatives.
- 3.2 Perform a site visit, including investigation of upstream and downstream drainage conditions.
- 3.3 Perform hydrologic analysis of the upstream drainage basin to determine a design flow rate for the outfall.
- 3.4 Develop and evaluate alternative designs for a new HDPE storm drain outfall pipe extension into the ravine. Anchoring the upstream end of the pipe may be accomplished by constructing an anchor block within S 251st Street to secure the existing HDPE pipe, or by constructing a separate anchoring system in front of the MSE wall.
- 3.5 Develop and evaluate alternative designs for an outfall energy dissipator. Potential alternatives include modifications to the recently-constructed rock pad, constructing a rock-lined stilling basin, or installing a "bubble up" manhole structure. Rounded rock and/or bio-stabilization measures downstream from the outfall may also be considered if appropriate and required by WDFW.
- 3.6 Prepare a preliminary engineering memorandum to document the design criteria, hydrologic analysis, alternatives analysis, preliminary estimates for each alternative, and recommended design solution.
- 3.7 Prepare 30% design plans and cost estimate for the preferred design alternative.

Assumptions

- ◆ City will provide record drawings, GIS data, and previously-prepared reports relevant to the project.
- ◆ Hydrologic analysis will be performed using the Western Washington Hydrology Model (WWHM), Version 2012
- ◆ Outfall and energy dissipater will be designed in accordance with WAC 220-660-260, as required by WDFW.
- ◆ The City will review the draft Preliminary Engineering Memorandum and select a preferred design alternative prior to preparing 30% plans and estimate.

Deliverables

- ◆ Draft Preliminary Engineering Memorandum, electronic pdf format
- ◆ Draft Preliminary Engineering Memorandum, electronic pdf format & 3 bound copies
- ◆ 30% Plans (½ size) & estimate, electronic pdf and 5 copies

Task 4 Permitting

- 4.1 Coordinate with WDFW Habitat Biologist to determine acceptable design for outfall energy dissipater during the preliminary design.
- 4.2 Prepare and submit permit application for an HPA from WDFW.
- 4.3 Prepare and submit SEPA Checklist to City for processing and approval.
- 4.4 The Consultant shall prepare environmental documentation for impacts to stream and buffers: This work will be completed by ESA under subcontract to the Consultant and include the following:
 - Field delineation of stream OHWM within and adjacent to the project limits;
 - Preparation of a Critical Area Memo in accordance with DMMC 18.86 requirements;
 - Preparation of a clearing and grading permit for City processing and approval

Assumptions

- ◆ No additional permits or environmental approvals are required.
- ◆ The critical area memo scope only covers wetland and fish and wildlife habitat conservation areas. No landslide hazard, critical aquifer recharge areas, or other areas identified as an environmentally critical areas, will be included in this task.
- ◆ HPA application will consist of a Joint Aquatic Project Approval (JARPA) form and 60% design drawings.

Deliverables

- ◆ SEPA Checklist
- ◆ Critical Area Memo
- ◆ Clear and Grade Application
- ◆ HPA application package

Task 5 Plans, Specifications, & Estimate

- 5.1 The Consultant shall prepare Plans, Specifications, and Engineers Estimate to a level of detail for use in solicitation from the MRSC Small Works Roster. It is anticipated that the PS&E package will include the following:

PLANS

Cover sheet (1)
 Legend and abbreviations (1)
 TESC & Site preparation plan (1)
 Storm drainage and slope stabilization plan (1)
 Site restoration plan (1)
 Details (2)

SPECIFICATIONS

- a. Bid Documents
- b. Contract Documents
- c. Amendments to the Standard Specifications
- d. Special Provisions
- e. Standard Plans
- f. Prevailing Wage Rates
- g. RCW 19.122

Assumptions

- ◆ WSDOT Standard Specifications and Standard Plans will be referenced on the Plan sheets for all proposed improvements.
- ◆ Structural engineering services, if needed, will be provided by a subconsultant to KPG. An allowance has been included in the budget.

Deliverables

- ◆ 85% & Final Plans (½ size) & estimate, electronic pdf file and 5 hard copies
- ◆ Final Bid Documents, electronic pdf file and 5 hard copies

Task 6 Bid Period Services

- 6.1 The consultant will assist the City with Project Advertisement and Award. This work may include preparation of up to 2 addenda, preparation of bid tabulation, reference checks, and preparing a letter of recommendation to award or reject to low bidder.

Additional Services

The City may require additional services of the Consultant in order to advance the project through final design and construction. This work may include items identified in the current task authorizations as well other items, which may include, but are not necessarily limited additional design, permitting, environmental documentation and/or services during construction.

These services will be authorized under a future contract supplement if necessary. At the time these services are required, the Consultant shall provide a detailed scope of work and an estimate of costs. The Consultant shall not proceed with the work until the City has authorized the work and issued a notice to proceed.

Hour and Fee Estimate

Exhibit B

Project: City of Des Moines

S 251st Street Emergency Repairs - Design and Permitting of Final Repairs



Task	Description	Labor Hour Estimate								Total Fee	
		*Project Manager \$ 172.58	*Senior Engineer \$ 157.44	*Project Engineer \$ 125.72	*Design Engineer \$ 109.83	*CAD Technician \$ 94.53	*Survey Crew \$ 149.05	*Senior Admin \$ 101.67	*Office Admin \$ 69.29	Fee	
Task1 - Management/coordination/administration											
1.1	Project management	8						8	\$	1,935.03	
1.2	Coordination meetings with City	8	8						\$	2,640.21	
1.3	QA/QC reviews	8							\$	1,380.67	
	Reimbursable expenses - see breakdown for details								\$	100.00	
	Task Totals	24	8	0	0	0	0	8	\$	6,055.91	
Task 2 - Geotechnical Services											
2.1	Coordinate with Geotechnical Engineer	2	2						\$	660.05	
	Reimbursable expenses - see breakdown for details								\$	15,000.00	
	Task Totals	2	2	0	0	0	0	0	\$	15,660.05	
Task 3 - Preliminary Engineering											
3.1	Data compilation and design criteria	1	2	2					\$	738.92	
3.2	Site visit	4	4						\$	1,320.11	
3.3	Hydrologic & hydraulic analysis		2	8					\$	1,320.68	
3.4	Alternatives analysis - pipe anchorage	2	8	8					\$	2,610.51	
3.5	Alternatives analysis - energy dissipator	2	8	8					\$	2,610.51	
3.6	Preliminary engineering memorandum	1	16	12		16		2	\$	4,338.96	
3.7	30% design plans & cost estimate	2	8	16					\$	5,128.76	
	Reimbursable expenses - see breakdown for details								\$	100.00	
	Task Total	12	48	54	0	16	0	2	\$	18,168.44	
Task 4 - Permitting											
4.1	Coordination with WDFW	4	4						\$	1,320.11	
4.2	HPA permit application	1	8	12				2	\$	3,079.41	
4.3	Prepare and Submit SEPA Checklist	1	2	8		4		2	\$	2,009.97	
4.4	Critical Area documentation	2	8	0		4		2	\$	2,121.42	
	Reimbursable expenses - see breakdown for details								\$	25,050.00	
	Task Total	8	22	20	0	8	0	6	\$	33,580.90	

HOUR AND FEE ESTIMATE

EXHIBIT B

Project: City of Des Moines

S 251st Street Emergency Repairs - Design and Permitting of Final Repairs



Task	Description	Labor Hour Estimate								Total Fee	
		*Project Manager	*Senior Engineer	*Project Engineer	*Design Engineer	*CAD Technician	*Survey Crew	*Senior Admin	*Office Admin	Fee	
		\$ 172.58	\$ 157.44	\$ 125.72	\$ 109.83	\$ 94.53	\$ 149.05	\$ 101.67	\$ 69.29		
Task 5 - Plans, Specifications & Estimates											
5.1	Prepare 85% PS&E	2	8	24		40				\$ 8,403.24	
5.2	Prepare 100% PS&E	2	2	16		16				\$ 4,184.10	
5.3	Prepare Final Bid Documents	2	2	8					4	\$ 1,943.03	
	Reimbursable expenses - see breakdown for details									\$ 5,050.00	
	Task Total	6	12	48	0	56	0	0	4	\$ 19,580.37	
Task 6 - Bid Period Services											
6.1	Assistance during bidding	4	8			4			4	\$ 2,605.17	
	Reimbursable expenses - see breakdown for details									\$ 50.00	
	Task Total	4	8	0	0	4	0	0	4	\$ 2,655.17	

Total Estimated Fee: \$ 95,700.84

Management Reserve:

Total Contract Amount: \$ 95,700.84

* Hourly rates are based on the following:

Direct Salary Costs	\$ 66.00	\$ 60.21	\$ 48.08	\$ 42.00	\$ 36.15	\$ 57.00	\$ 38.88	\$ 26.50	Totals
Overhead Rate				131.49%					19,255.36
Fixed Fee				30%					\$ 25,318.87
									\$ 5,776.61

HOUR AND FEE ESTIMATE

EXHIBIT B



Project: City of Des Moines S 251st Street Emergency Repairs - Design and Permitting of Final Repairs

Reimbursable Breakdown		Cost
Task1 - Management/coordination/administration		
Mileage	\$	100.00
Reproduction	\$	-
Task 1 - Total	\$	100.00
Task 2 - Geotechnical Services		
Geotechnical - GeoDesign	\$	15,000.00
Task 2 - Total	\$	15,000.00
Task 3 - Preliminary Engineering		
Mileage	\$	100.00
Reproduction	\$	-
Task 3 - Total	\$	100.00
Task 4 - Permitting		
Mileage	\$	50.00
Reproduction	\$	-
Environmental - ESA	\$	25,000.00
Task 4 - Total	\$	25,050.00
Task 5 - Plans, Specifications & Estimates		
Mileage	\$	50.00
Reproduction	\$	-
Structural allowance	\$	5,000.00
Task 5 - Total	\$	5,050.00
Task 6 - Bid Period Services		
Structural allowance	\$	-
Mileage	\$	25.00
Reproduction	\$	25.00
Task 6 - Total	\$	50.00

Total Reimbursable Costs: \$ 45,350.00

ATTACHMENT A SCOPE OF WORK

Environmental Services for S 251st Drainage Repairs

Prepared By: ESA

Prepared For: KPG

March 21, 2016

KPG, on behalf of the City of Des Moines (City), has requested that Environmental Science Associates (ESA) prepare a scope of work (SOW) and cost estimate to provide environmental permit support for the planned repairs to the S 251st Street outfall in Des Moines, Washington.

South 251st Street, in the vicinity of 10th Avenue S, is supported on a fill embankment and mechanically stabilized earth (MSE) wall structure constructed over an historic ravine. A 24-inch stormwater outfall pipe and T-shaped outfall structure discharged water below and in front of the MSE wall structure and caused severe erosion and sloughing.

The City installed interim repair measures under an emergency HPA, which resulted in construction of a rock outfall pad at the base of the fill slope and a temporary extension of the existing outfall pipe to the new rock pad.

The following SOW details the permits and approvals anticipated to be necessary at this time. If additional permits and approvals are required, an amendment to this SOW will be necessary. Exhibit A contains the cost estimate for this SOW.

Commencement of work on identified tasks will require written authorization from the City prior to initiation of work.

Task 1. Project Management

This task includes time for regular communication with the City and KPG project managers, project engineers and technical staff, work authorization set-up and monitoring; preparing progress reports and invoices, managing budget and schedule, and quality control and assurance.

Deliverable: Monthly progress report (submitted with monthly invoice).

Task 2. Field Investigations

ESA staff will identify and flag any wetland boundaries and the ordinary high water mark (OHWM) of the stream within the project area. Upland and wetland data plots will be established to collect hydrology, vegetation, and soils information, as needed. ESA staff will mark all wetland boundaries, data plot locations, and stream OHWM with survey flagging and collect GPS coordinates for each flag. Field sketches and GPS data points of all wetland and stream boundaries will be provided to KPG.

Deliverables:

- Wetland and/or stream sketch map and GPS data (to be used for professional land survey).

Assumptions:

- Field work can be completed by 2 biologists within 1 day.
- Right of access will be provided by the City in writing prior to issuance of a notice to proceed with the field delineation.
- The study area will be defined by KPG on a map and digital files will be made available to ESA prior to commencement of ESA's field investigation.
- Field visit will be scheduled to allow for a utility locate and required call to the Utility Notification Center.
- All survey of critical area boundaries will be performed by KPG or their surveying subconsultant.
- Survey results are to be provided to ESA in CAD format in addition to base drawings.

Task 3. Critical Area Report

ESA will prepare a Critical Area Study in accordance with the requirements of DMMC 18.86 – Environmentally Critical Areas based upon the findings identified in Task 2 above, and information provided by KPG regarding elements of construction activity including limits of clearing and grading, fill and excavation quantities, and other engineering information as necessary to assess impacts to Environmentally Critical Areas. It is known that work will be necessary within stream and stream buffers which are critical areas regulated by the City.

Deliverables:

- ESA staff will prepare a Draft Critical Area Report (CAR) in electronic format for review and comment by the City and KPG.
- Upon receipt of one set of consolidated comments to the Draft CAR, ESA staff will revise and prepare a Final CAR within 10 working days of receipt of comments. ESA will provide 3-hard copies and a camera-ready electronic copy of the Final CAR to the City.
- A conceptual mitigation plan will not be developed as part of the CAR.

Assumptions:

- This SOW only covers wetland and fish and wildlife habitat conservation areas. No landslide hazard, critical aquifer recharge areas, or other areas identified as an environmentally critical areas, will be included in this task. If necessary, this work will be conducted by others.
- There will be only one review cycle for the CAR, which is the Draft Report.
- No grading or fill will occur within the stream OHWM and a federal permit is not required to implement the project. Should a federal permit be necessary, an amendment to this scope of work would be necessary.

Task 4. SEPA Checklist

ESA will prepare a draft SEPA Checklist to address the planned repairs for the S 251st Street project. For purposes of this SOW, ESA has assumed that the City will be the SEPA lead agency and that they will issue a SEPA determination consistent with their SEPA rules. The City of Des Moines will be responsible for finalizing the checklist, public notification, and responding to public and agency comments. At this time it is reasonable to assume that no additional studies would be necessary to complete the SEPA Checklist.

Deliverables:

- Draft and Revised SEPA Checklist in electronic format.

Assumptions:

- This task anticipates that the City of Des Moines will be the sole SEPA Lead Agency. Should cooperating agencies be determined to be the SEPA lead agency or co-lead agencies for this project, additional coordination and document preparation may be required and will be negotiated separately.
- ESA assumes that any technical document necessary for SEPA review outside the scope of this proposal will be provided by others.
- This task assumes City of Des Moines will be responsible for any publication and notification fees.
- This task assumes one round of review from the City and KPG on the draft SEPA Checklist.

Task 5. Clearing and Grading Permit

ESA will prepare the necessary clearing and grading permit application to support the proposed Project.

Deliverables:

- One draft electronic copy of the permit application will be provided to KPG for review and comment.
- ESA will revise the draft application based on comments provided by KPG and provide the final permit application in electronic format to KPG.

Assumptions:

- All submittal drawings, reports, and plans associated with the permit application (including engineering design, stormwater management, etc.) are to be provided by KPG, including the necessary number of copies. Generally, jurisdictions require 90 percent design drawings.
- The permit application will be submitted by KPG to the City of Des Moines.
- This task assumes City of Des Moines will be responsible for any application fee.

EXHIBIT A: PRICING PROPOSAL
ESA Labor Detail and Expense Summary
City of Des Moines S 251st Street Drainage Repairs Project

Title		Director III	Director II	Managing Associate II	Managing Associate I	Senior Associate II	Senior Associate I	Associate III	Associate II	Subtotal	Project Technician II	Subtotal	Hours	Labor Price
Task #	Task Name/Description	\$220	\$190	\$170	\$165	\$150	\$140	\$130	\$120		\$100			
1	Project Management	2					20			\$ 3,240	4	\$ 400	26	\$ 3,640
2	Field Investigations	1					10		15	\$ 3,420	2	\$ 200	28	\$ 3,620
3	Critical Areas Report	2		4			12		50	\$ 8,800	2	\$ 200	70	\$ 9,000
4	SEPA Checklist	1		4			10		98	\$ 6,620	2	\$ 200	53	\$ 6,820
5	Clearing and Grading Permit	1		4			8		20	\$ 4,420	2	\$ 200	35	\$ 4,620
Total Hours		7	-	12	-	-	60	-	121		12	\$ 12	212	
Subtotals - Labor Costs		\$ 1,540	\$ -	\$ 2,040	\$ -	\$ -	\$ 8,400	\$ -	\$ 14,520	\$ 26,500	\$ 1,200	\$ 1,200		\$ 27,700

South 251st Street Storm Outfall		Project #	451.827
Project Manager:	L. Reinhold	Est.	Actual
Lead Department:	PBPW-SWM	4/15/16	
Design Start Date:			
Bid Opening:			
Award:			
Accepted by Council:			
Retainage Released:			

Summary Project Description:
This project is a retrofit to a storm outfall improvement made in 2014 that failed following heavy rains in October 2015. This project proposes to extend the 24-inch outfall pipe downslope away from the existing MSE wall and install a dissipator at the terminus.

TOTAL PROJECT SCOPE				PROJECT ALLOCATIONS BY YEAR								
Expenditures	1/1/16 Current CIP Budget	2016 CIP Supplemental Request	2016 Revised CIP Budget Estimate	Project to Date 12/31/15	Project To Date 1/1/2016	2016 Year to Date 1/1/2016	2016 Remaining	Estimated Year End 2016	Planned Year 2017	Planned Year 2018	Planned Year 2019	Planned Year 2020
Design												
External Engineering	-	95,700	95,700	-	-	-	95,700	95,700				
Internal Engineering/Project Mgmt	-	10,000	10,000	-	-	-	10,000	10,000				
Other Misc (Advertise, Postage, Etc.)	-	300	300	-	-	-	300	300				
Prop/ROW/Easements												
Construction												
External Engineering	-	-	-	-	-	-	-	-				
External Proj Mgmt/Inspect - KPG	-	40,000	40,000	-	-	-	40,000	40,000				
Internal Engr-Proj Mgmt/Inspect	-	10,000	10,000	-	-	-	10,000	10,000				
Construction Contract 1	-	150,000	150,000	-	-	-	150,000	150,000				
Other												
Interfund Financial Services	-	3,660	3,660	-	-	-	3,660	3,660				
Contingencies	-	60,340	60,340	-	-	-	60,340	60,340				
Total Project Expense Budget:	-	370,000	370,000	-	-	-	370,000	370,000	-	-	-	-

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Funding Sources	1/1/16 Current CIP Budget	2016 CIP Supplemental Request	2016 Revised CIP Budget Estimate	Project to Date 12/31/15	Project to Date 1/1/2016	2015 YTD 1/1/2016	2016 Remaining	Scheduled Year 2016	Scheduled Year 2017	Scheduled Year 2018	Scheduled Year 2019	Scheduled Year 2020
SWM CIP	-	370,000	370,000	-	-	-	370,000	370,000				
Total Project Revenue Budget:	-	370,000	370,000	-	-	-	370,000	370,000	-	-	-	-

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AGENDA ITEM

BUSINESS OF THE CITY COUNCIL
City of Des Moines, WA

SUBJECT: Options for Pay Parking in the Marina and Beach Park

FOR AGENDA OF: April 7, 2016

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

ATTACHMENTS:

1. Pay Parking Decision Matrix
2. Des Moines Parking Revenue Estimate
BST Associates (powerpoint)
3. Maps – Options 1.0, 1.1, 2.0 & 2.1

DATE SUBMITTED: March 31, 2016

CLEARANCES:

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

APPROVED BY CITY MANAGER
FOR SUBMITTAL: 

Purpose and Recommendation

The purpose of this presentation is to tell the Council about the different options for pay parking on the Marina floor and in the Beach Park and to discuss the revenues, expenses and operational issues associated with each option.

<u>Suggested Motion:</u> “I move that the Council adopt Option 2.1 as the preferred alternative for a pay parking system in the Marina and Beach Park and direct the City Manager and staff to implement the plan as soon as practical.”
--

Background

At the Council’s budget retreat last November, the concept of pay parking on the Marina floor and in the Beach Park was put forward by staff as a way to help balance the 2016 budget. At that time the Council directed the staff to develop a plan for implementing pay parking and to bring it back to the Municipal facilities Committee at the earliest possible date. The staff met with the Municipal Facilities Committee on January 28th and presented two main options for configuring the Marina and Beach Park for pay parking. Each option had a sub-option also.

At the January meeting the Council directed the staff to develop a firm estimate for the potential revenues from pay parking and to bring that back to the next Committee meeting. The staff contracted with BST Associates to do a revenue analysis and estimate. BST Associates is a consulting firm that specializes in economic forecasts for marinas and port Districts. BST completed their analysis and presented it to the Committee at a meeting on April 8. A copy of their presentation is attached. At that meeting the Committee directed the staff to bring the issue to the full Council at the next available date.

Discussion

The staff analyzed the options using several financial metrics including;

- Initial cost estimate
- Supplies and other operating costs
- Enforcement
- Managing Citations
- Accounting and audit control
- Estimated revenues
- Net revenue

The staff also looked at several issues that are hard to quantify or that have qualitative characteristics including;

- The appeal process for citations
- Validation for near-by business that depend on the parking lots
- Ease of access for moorage tenants
- Access to the public fishing pier for fishers
- Compatibility with any future pay parking system that may be installed at Redondo

Pay parking on the Marina floor and in the Beach Park has been a subject of discussion by the Council and staff for several years. At times like the present, the focus has been on generating much needed revenue for the short term and developing a long-term revenue stream that can be used to fund the replacement of essential infrastructure in the facilities like bulkheads, restrooms, paving and other amenities. Currently the five year forecast used to create the 2016 Budget included \$71,500 per year as a new, additional revenue source to the general fund. At other times the primary focus was on developing a system to control traffic and parking on the Marina floor that would increase the security on the docks and reduce the volume of 911 calls that were related to illegal and inappropriate activity on the Marina floor and in the Beach Park. Because of the history of this discussion, the staff also looked at how each option would meet the following goals;

- Increase security on the Docks
- Reduce 911 calls and illegal/inappropriate activity
- Generate net revenue

Discussion of Options

Definitions:

A “pay & display” parking lot is a system that uses “pay stations” installed at some convenient location(s) in the lot where users can pay for parking in advance, usually by selecting different time

allotments set up in the pay station, and then displaying the receipt or parking permit issued by the pay station on their vehicles dashboard.

A “controlled entry/exit” or “ticket dispenser” parking lot utilizes a system that controls the entry and exit from the lot with gates. The entry gate opens when the user requests a “ticket” from the dispenser in the entry lane. The ticket is time-stamped and the parking fees are paid when the user leaves the lot, either at the exit gate or at a walk up pay station(s) installed at some convenient location(s) in the lot.

Other Notes:

Cost Estimates:

During this analysis the staff learned that there is a wide range in the price and quality of parking lot equipment. They were also surprised to learn how large the industry is and how many vendors build and sell the equipment. The cost estimates in the following discussion of the alternatives were developed using high end equipment prices, assuming that better quality equipment would be needed for the location. Cost estimates also include a 10% contingency. Obviously, the project can be made to fit a specified budget just by using cheaper equipment but the trade-off may be operational difficulties.

Revenue Estimates:

The staff used BST’s revenue estimate of \$224,000 per year for the Marina and Beach Park parking operations. This revenue estimate was derived from data from the Marina’s parking lot at Redondo and from the City of Mukilteo’s recent installation of a pay parking system at their Lighthouse Park and Launch Ramp. Both operations are “pay & display” systems which require more enforcement to generate the same levels of revenue that controlled lots do.

Dock Avenue:

The essential difference between Options 1 and 2 is the use of Dock Ave. In Option 1 and 1.0, Dock Ave. remains open from the Cliff Ave. entrance at the north end to 227th St. on the south end of the Marina. For Options 2.0 and 2.1, Dock Ave. is closed to thru traffic near the Marina Office. In this option Dock Ave. could still be used to facilitate the movement of people from the south lot to the north parking lots during special events. During the large construction project in 2010 Dock Ave. was closed for extended periods of time without much impact.

Option 1.0

For this option Dock Ave. remains open. The north lot and the Beach Park are operated as “Pay & Display” lots with three pay stations in the north lot and 2 pay stations in the Beach Park. The south lot would be a “controlled entry/exit” lot with one main gate near the center of the lot, one exit only gate on 227th St near the bulkhead and a “tenant only” gate for access to the M and N Docks area. There would be one “pay-on-foot” station. Significant modifications to the south lot would be required, including realigning Dock Ave. to the east side of the lot. The cost and revenue estimates for this option are as follows, rounded to the nearest \$1000.

• Initial cost estimate	\$315,000	
• Operating costs		\$ 40,000
• Enforcement		\$ 64,000
• Managing Citations		\$ 3,000
• Accounting (Marina)		\$ 2,000
• Estimated Revenue		\$224,000
• Net Revenues		\$115,000

Option 1.0 has the following responses to the operational issues:

- Appeal process: The scope and cost of setting up an appeal process is not known at this time. The staff did learn from that the City of Mukilteo was surprised by the number of appeals and the time it took to process them. The staff has set up a system to deal with appeals to citations issued at the Redondo lot that tends to minimize the amount of appeals, but persistent people can use up a lot of staff time.
- Validation for near-by business. This option has provisions for parking validation. The equipment cost estimates are \$1,500 to \$2000 per businesses.
- Ease of Access for tenants. This option restricts access to the south lot to one gate and has another internal gate that controls access to M & N Docks. This option restricts tenant access more than the others.
- Access to the Public Fishing Pier. Accommodating fishers who want to use the Public Fishing Pier would be easy with this option and not much different than the system in place now.
- Compatibility with a future system at Redondo. The staff does not see any problems with future installations as long as the same equipment manufacturer is used.

This option addresses the goals for pay parking in the following ways:

- Increase Security on Docks. Because this option will end open access to the parking lot in front of the Docks, the staff believes that it will decrease the potential for large scale thefts like outboard motors, dinghy's and other large items.
- Reduce 911 Calls. Because entry to the south lot will be controlled, some reduction in calls for police services is expected. Currently most illegal or inappropriate activity takes place in the north lot which will still be accessible in this option.
- Net Revenue. The staff believes that this option will have a net revenue of about \$115,000.

Option 1.1

In this option, Dock Ave. remains open. The north lot is a controlled entry/exit lot with one entry and one exit gate. There are two walk-up pay stations in the area. The office lot is gated and closed at night. The south lot and dry shed/M & N Dock parking is the same as in Option 1.0. The Beach Park would be a controlled area with an entry/exit gate at the Park entrance and one walk-up pay station near the vehicle bridge. The cost and revenue estimates for this option are:

• Initial cost estimate	\$425,000		
• Operating costs		\$ 57,000	
• Enforcement		\$ 6,000	
• Managing Citations		\$ 0	
• Accounting (Marina)		\$ 2,000	
• Estimated Revenue			\$224,000
• Net Revenue			\$159,000

Option 1.1 has the following responses to the operational issues:

- Appeal process: An appeal process would not be needed.
- Validation for near-by business. This option has provisions for parking validation. The equipment cost estimates are \$1,500 to \$2000 per businesses.
- Ease of Access for tenants. Access for tenants would be the same as in Option 1.1
- Access to the Public Fishing Pier. Access for special groups like the squid fishermen would be more difficult and would mean some major changes to the current process.
- Compatibility with a future system at Redondo. The staff does not see any problems with future installations as long as the same equipment manufacturer is used.

This option addresses the goals for pay parking in the following ways:

- Increase Security on Docks. This option will restrict vehicle access to the north lot as well as the south lot and the staff believes it will result in greater security for the docks as well as the guest moorage area...
- Reduce 911 Calls: Because entry to the north lot, where most of the problems occur, will be controlled as well as the south lot, even more reduction in calls for police services are expected.
- Net Revenue: The staff believes that this option will result in more net revenue than Option 1.0. The estimate is \$159,000 per year.

Option 2.0

In this option Dock Ave. is closed near the Marina Office building and there is a turn-around for vehicle traffic. The north lot and the Beach Park would be pay & display systems the same as in option 1.0. the South lot is a controlled lot with an entry/exit island on Dock Ave. near the entrance to the South Marina Park lot, one exit only lane and one “pay-on-foot” station. Major revisions to the south lot and re-alignment of the roadway would not be required. The cost and revenue estimates for this option are as follows, rounded to the nearest \$1000.

• Initial cost estimate	\$285,000		
• Operating costs		\$ 40,000	
• Enforcement		\$ 64,000	
• Managing Citations		\$ 3,000	
• Accounting (Marina)		\$ 2,000	
• Estimated Revenue			\$224,000
• Net Revenues			\$115,000

Option 2.0 has the following responses to the operational issues:

- Appeal process: The scope and cost of setting up an appeal process is not known at this time. The staff did learn from that the City of Mukilteo was surprised by the number of appeals and the time it took to process them. The staff has set up a system to deal with appeals to citations issued at the Redondo lot that tends to minimize the amount of appeals, but persistent people can use up a lot of staff time.
- Validation for near-by business. This option has provisions for parking validation. The equipment cost estimates are \$1,500 to \$2000 per businesses.
- Ease of Access for tenants. This option would provide easier access to the docks for the tenants because there would not be an internal gate for M, & N Docks and the Dry Sheds.
- Access to the Public Fishing Pier. Accommodating fishers who want to use the Public Fishing Pier would be easy with this option and not much different than the system in place now.
- Compatibility with a future system at Redondo. The staff does not see any problems with future installations as long as the same equipment manufacturer is used.

This option addresses the goals for pay parking in the following ways:

- Increase Security on Docks. Because this option will end open access to the parking lot in front of the Docks, the staff believes that it will decrease the potential for large scale thefts like outboard motors, dinghy's and other large items.
- Reduce 911 Calls. Because entry to the south lot will be controlled, some reduction in calls for police services is expected. Currently most illegal or inappropriate activity takes place in the north lot which will still be accessible in this option.
- Net Revenue. The staff believes that this option will have a net revenue of about \$115,000.

Option 2.1

For Option 2.1 Dock Ave. closed and the layout to the south lot is the same as in Option 2.0. The north lot is a controlled lot with separate entry island and a separate exit gate. This option has two walk-up pay stations that take cash or credit. The Beach Park is a controlled entry area with an entry/exit island and a walk-up pay station near the vehicle bridge. The cost and revenue estimates for this option are:

• Initial cost estimate	\$395,000		
• Operating costs		\$ 57,000	
• Enforcement		\$ 6,000	
• Managing Citations		\$ 0	
• Accounting (Marina)		\$ 2,000	
• Estimated Revenue			\$224,000
• Net Revenues			\$159,000

Option 2.1 has the following responses to the operational issues:

- Appeal process: Not needed.
- Validation for near-by business. This option has provisions for parking validation. The equipment cost estimates are \$1,500 to \$2000 per businesses.
- Ease of Access for tenants. This option would provide easier access to the docks for the tenants because there would not be an internal gate for M, & N Docks and the Dry Sheds.
- Access to the Public Fishing Pier. Access for special groups like the squid fishermen would be more difficult and would mean some major changes to the current process.
- Compatibility with a future system at Redondo. The staff does not see any problems with future installations as long as the same equipment manufacturer is used.

This option addresses the goals for pay parking in the following ways:

- Increase Security on Docks. This option will restrict vehicle access to the north lot as well as the south lot and the staff believes it will result in greater security for the docks as well as the guest moorage area..
- Reduce 911 Calls: Because entry to the north lot, where most of the problems occur, will be controlled as well as the south lot, even more reduction in calls for police services are expected.
- Net Revenue: The staff believes that this option will result in more net revenue than Option 2.0. The estimate is \$159,000 per year.

Summary & Financial Impact

The Options 1.1 and 2.1 which have controlled entry/exit in the north lot as well as the south lot have the most net revenue potential, mainly because the enforcement costs are very low. Both options have higher initial costs because of the extra equipment. Option 1.1 has an initial cost estimate of \$425,000, about \$140,000 more than the lowest cost option, (2.0). Option 2.1 has an initial cost estimate of \$395,000, about \$110,000 than the lowest cost estimate.

Options 1.0 and 2.0 have lower net revenue estimates because of the cost of enforcement and managing citations. Option 2.0 has the lowest initial cost estimate mainly because it relies on closing Dock Ave. to thru traffic which will result in one less gate and less fencing in the south lot. The estimated initial cost for Option 2.0 is \$285,000. The initial cost estimate for Option 1.0 is \$315,000.

All of the options address the operational issues fairly well and none have insurmountable obstacles. Options 1.1 and 2.1 that have controlled entry/exit in the north lot are better at meeting the goals of pay parking because they provide more security, reduce 911 calls more and generate more net revenue than the other options.

Conclusion & Recommendation

Option 2.1, which would have controlled entry/exit lots in both Marina parking lots and in the Beach Park generates the most net revenue, with the fewest revisions to the parking lots. It also better at addressing the other goals of increasing security and reducing illegal and inappropriate behavior in the

Marina and Beach Park. The staff recommends that the Council adopt Option 2.1 as the preferred plan for implementing a pay parking system in the Marina and Beach Park.

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Des Moines Parking Revenue Estimate

Presentation of Draft Results
March 8, 2015
Brian Winningham

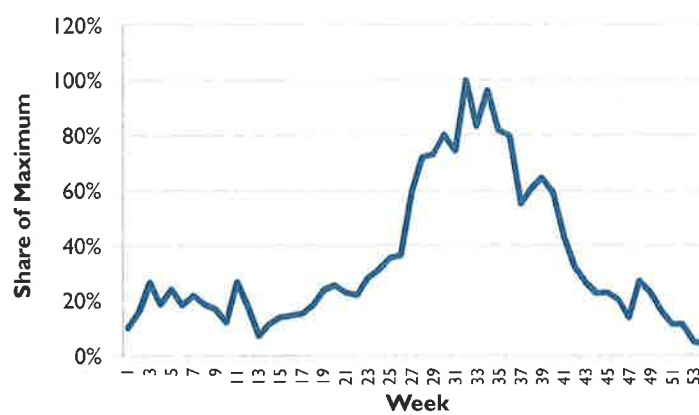
BST Associates
Market Research & Strategic Planning

Agenda

- ▶ Parking trends
- ▶ Parking rates
- ▶ Revenue estimate
- ▶ Mukilteo initial results
- ▶ Elasticity

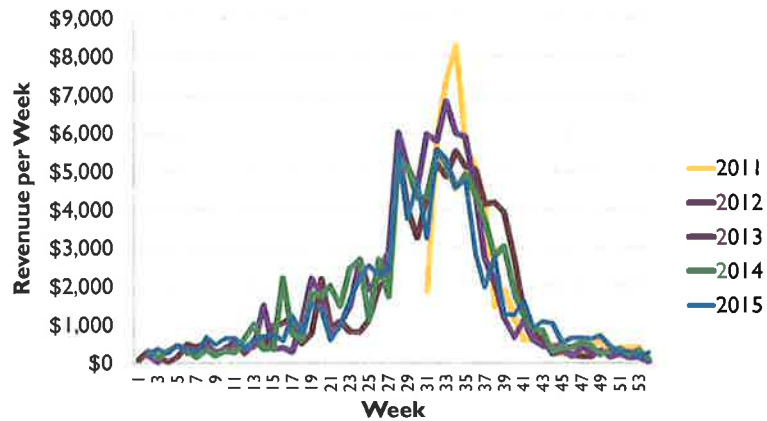
Parking Trends

Des Moines Parking Usage



Source: City of Des Moines parking survey, BST Associates estimates

Redondo – Revenue by Week

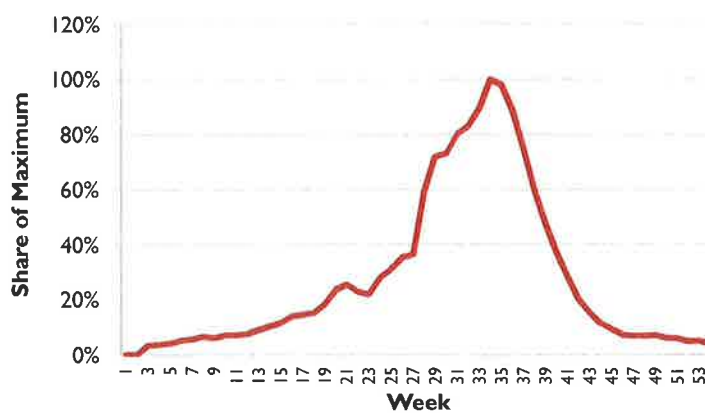


Source: City of Des Moines

► BST Associates

5

Redondo – Revenue by Week 3-Week Moving Average

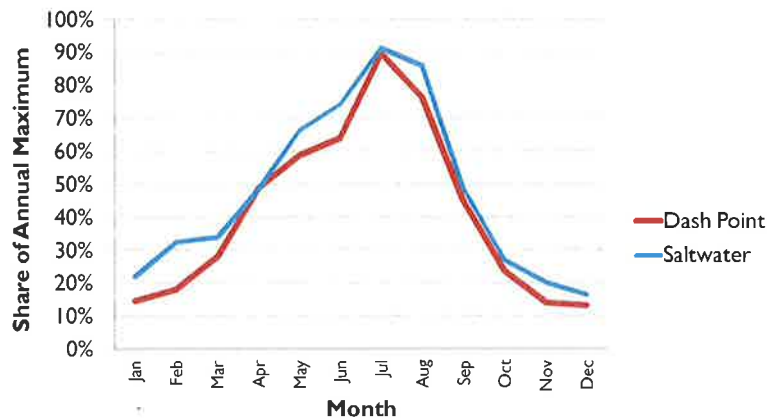


Source: City of Des Moines

► BST Associates

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Seasonality of Day Use at State Parks 2000-2015



Source: Washington State Parks

► BST Associates

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Redondo Traffic Management Plan

- Parking demand was much higher during the weekend (Sunday) than during a weekday (Tuesday)
 - Parking demand was the highest, on average, for Sunday between 4 and 5 PM.
 - On Tuesday, parking demand was highest between 5 and 6 PM
- Utilization for all parking spaces in Redondo was highest, at 81%, on average between 4 and 5 PM on Sunday
- Tuesday parking demand for the area was 50 percent of the total capacity

► BST Associates

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Parking Rates

Redondo Rates

Permit Type	Rate
One Hour Permit	\$1.00
Two Hour Permit	\$2.50
Three Hour Permit	\$3.50
Four Hour Permit	\$5.00
Five Hour Permit	\$6.50
All Day Permit	\$8.00
One Day Permit	\$10.00
Two Day Permit	\$20.00
Three Day Permit	\$30.00

How Much For A State Parks Pass?

WASHINGTON TRAILS ASSOCIATION LOOKS AT WHAT IT COSTS TO VISIT STATE LANDS ACROSS THE NATION. FIND MORE AT WWW.WTA.ORG.

\$0 ENTRY IS FREE IN MANY CENTRAL U.S. STATES

\$30 WASHINGTON ADOPTED A PASS SYSTEM FOR ACCESS TO STATE LANDS IN JULY.

\$205 ARIZONA'S ANNUAL FEE IS THE NATION'S HIGHEST

ANNUAL PASS price per vehicle

- ☐ Free 15 STATES
- ☐ \$20 - \$49 17 STATES
- ☐ \$50 - \$99 12 STATES
- ☐ \$100+ 5 STATES
- ☐ Info/Individual pass 1 STATE

ARKANSAS STATE PARKS ISSUES AN ANNUAL \$200 FEE AND ANNUAL \$2500 FEE FOR UNLIMITED VISITING. EXCEPT FOR ARIZONA, RESERVES ARE FREE. APPLY IN MANY STATES. *TODAY, PROBABLY FROM PROPOSED INCREASE TYPES OF AGENCY LANDMANAGEMENT.

Washington rates are in the lower tier of state park fees

- ▶ The Washington State Legislature and Governor created the Discover Pass in 2011 to offset steep reductions in general tax support for parks and other lands and facilities
 - ▶ Washington State Parks
 - ▶ Washington Department of Fish and Wildlife (WDFW)
 - ▶ Washington State Department of Natural Resources (DNR)
- ▶ Washington charges \$30 for an annual pass and \$10 for a day-use pass
- ▶ Annual Discover Pass is transferable between two vehicles
 - ▶ Write both plate numbers on the pass.
 - ▶ Can only be used on one vehicle at a time
- ▶ Started July 1, 2011
- ▶ Most states have a park pass to cover a portion of operating costs.

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Mukilteo Parking Rates

- ▶ Parking meters were installed at Lighthouse Park and along nearby streets
- ▶ The fee was set at \$2.00 / hour for the peak season
- ▶ The off-season rate is \$1.00 / hour
- ▶ Free resident passes were provided
 - ▶ Valid for one year
 - ▶ Only one per household
- ▶ All other users are required to purchase a maximum 4-hour parking ticket
- ▶ Farmer's market parking is free
 - ▶ Every Wednesday, 3 pm-7 pm
 - ▶ June through September

Des Moines Revenue Estimate

Methodology for Revenue Estimate

- ▶ Used Redondo rates
- ▶ Parking utilization based on survey results
 - ▶ August 2012 – March 2013
 - ▶ Missing data estimated using Redondo distribution
- ▶ Average stay of 2 hours
- ▶ Free parking during Farmer's market
 - ▶ Saturday 10 am-2 pm, Wednesday 3 pm-8 pm
 - ▶ June through September
- ▶ No charge for residents of Des Moines
 - ▶ License plate survey April 2014 through May 2015
 - ▶ ZIP Codes 98198 and 98148
- ▶ Total parking inventory
 - ▶ 686 (630 at marina, 56 at Beach Park)
 - ▶ 100 marina spot reserved for marina tenants

Revenue Estimate and Comparison

	Mukilteo	Redondo	Des Moines
Parking spots			
Vehicle	251	34	586
Vehicle/trailer	32	40	0
Reserved	0	0	100
Total	283	74	686
 Revenue			
	\$260,000	\$74,000	\$224,000 est
\$ / parking spot	\$919	\$1,000	\$383

Notes:
 Mukilteo results are for July through December 2015
 Redondo Results are for calendar year 2015
 Des Moines \$/parking spot based on 586 parking spots

Potential Additional Revenue

- ▶ **Waterland Festival**
 - ▶ \$10.00 per vehicle
 - ▶ South lots only
 - ▶ \$3,300 net revenue (regular usage subtracted)
- ▶ **4th of July**
 - ▶ Same assumptions as Waterland Festival
 - ▶ \$3,300 net revenue
- ▶ **Farmers market**
 - ▶ \$1.00 reduced fee per vehicle
 - ▶ \$14,300 additional revenue

Mukilteo Initial Results

Mukilteo Light House Park

- ▶ Pay parking began in June of 2015
- ▶ Estimated 750,000 visitors/year
- ▶ Years of concerns over the lack of parking in the waterfront area
- ▶ Some residents complained that the parking problems were so bad they couldn't get to the park, which their taxes help support
- ▶ Snohomish County already charges \$7 a day or \$70 per year for parking at Wennberg and Kayak Point parks
- ▶ Parking fees will help offset the park's maintenance costs size



Source: Everett Herald

▶ BST Associates

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Mukilteo Initial Results

- ▶ The program worked: parking spaces were available all summer — even during the peak summer weekend days.
- ▶ Revenues generally followed the low estimate projection model, but came in lower than projected for several reasons
- ▶ Hiring the Rangers was a success: no fights over parking stalls this summer and less illegal activity at LHP
- ▶ 77% decrease in 911 calls to LHP
- ▶ Contested tickets have increased police paperwork costs
- ▶ Residents supported the parking pass but were unhappy with the number of passes allowed
- ▶ Commuters started parking in the upland commercial and residential neighborhoods

▶ BST Associates

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Mukilteo Revenue Estimate Issues

- ▶ Program was started in June versus May
- ▶ Warning tickets were issued throughout June to educate people before issuing parking fines
- ▶ September revenues were half of July and August which means that September is not truly a “peak season” month for park users; Labor Day weekend is the end of summer users
- ▶ Revenue from the festival weekend was lost and should not have been included in the projections
- ▶ Revenue from ADA parking stalls should not have been included in the revenue projections
- ▶ Farmers Market did not negatively affect the parking revenue

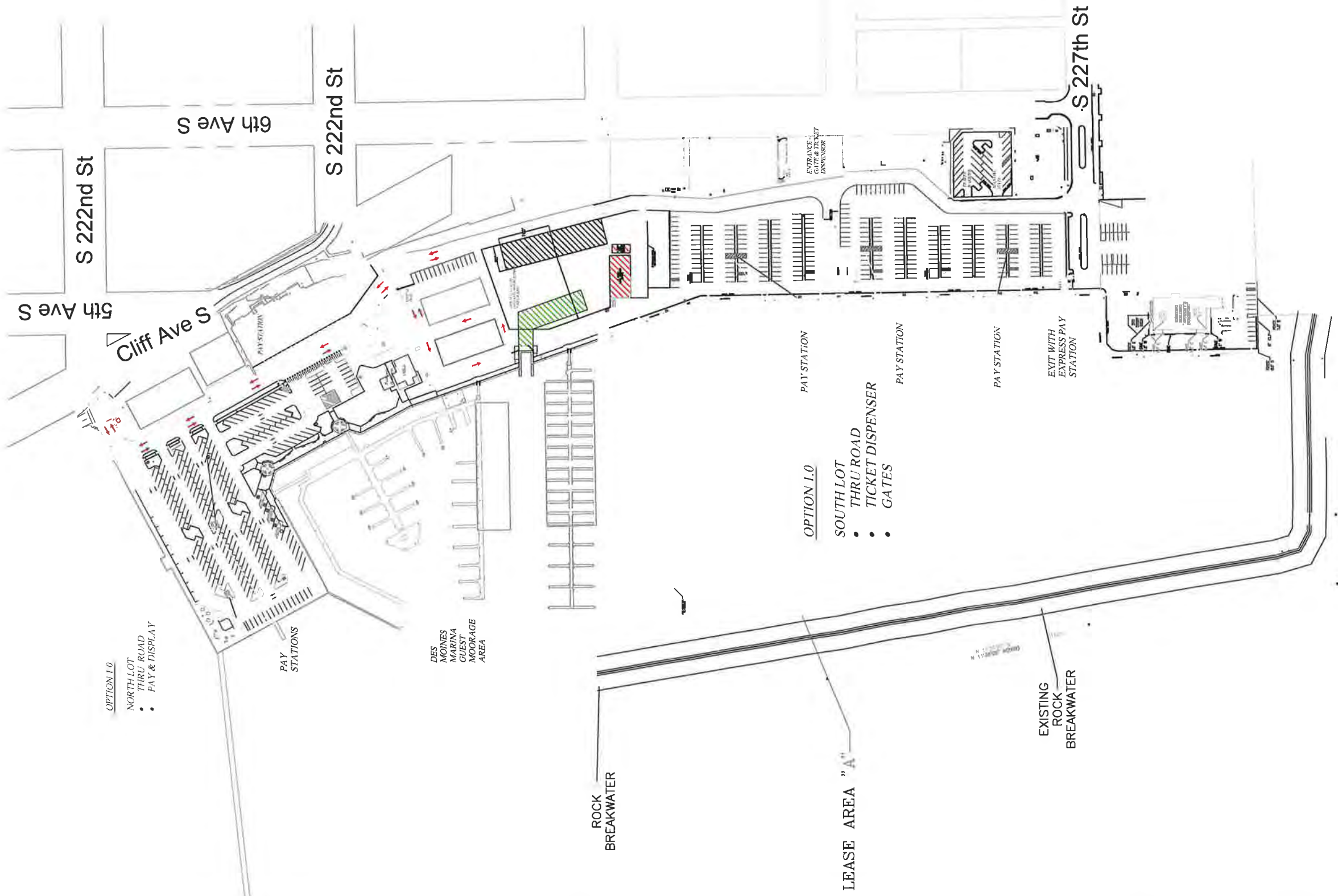
Elasticity

Elasticity

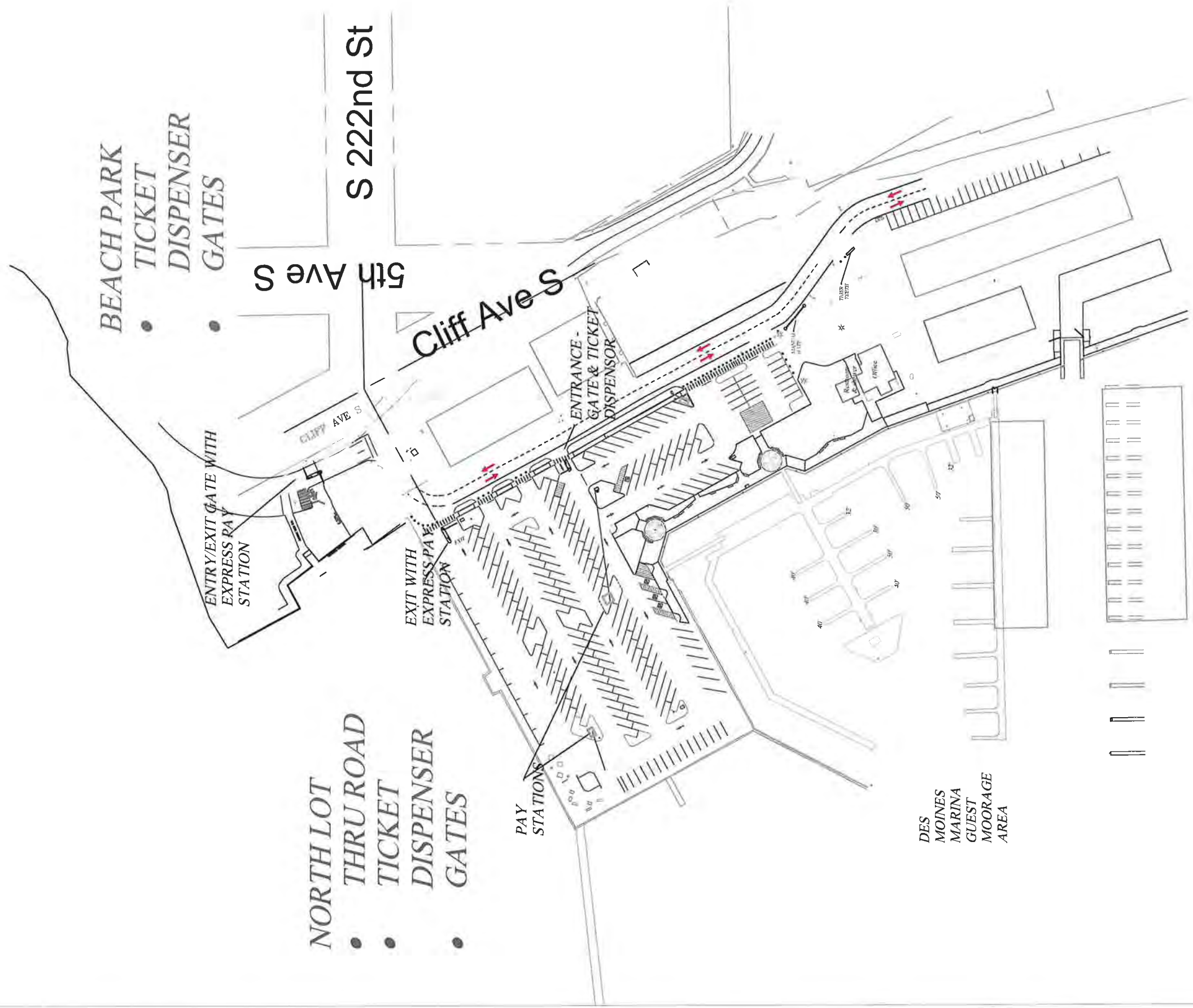
- ▶ Elasticity measures the price sensitivity of demand for parking. It is calculated by dividing the change in demand by the change in price.
- ▶ There are numerous non-pricing related factors; a few examples are provided below:
 - ▶ Type of Destination: motorist may be more likely to pay a higher rate for convenient parking.
 - ▶ Alternative Trip Choices: As a motorist makes their destination and travel decisions, if more convenient and easily accessible choices are provided, the cost of parking may play a greater role in their mode choice decision.
 - ▶ Decision Duration: The longer the motorist has to assess pricing and its impacts on their decisions, the higher the elasticity of parking.
- ▶ Most studies arrived at a similar conclusion that parking demand is relatively **inelastic (-0.3)**; that is a 10 percent increase in parking rates reduces demand by 3 percent.

Questions?

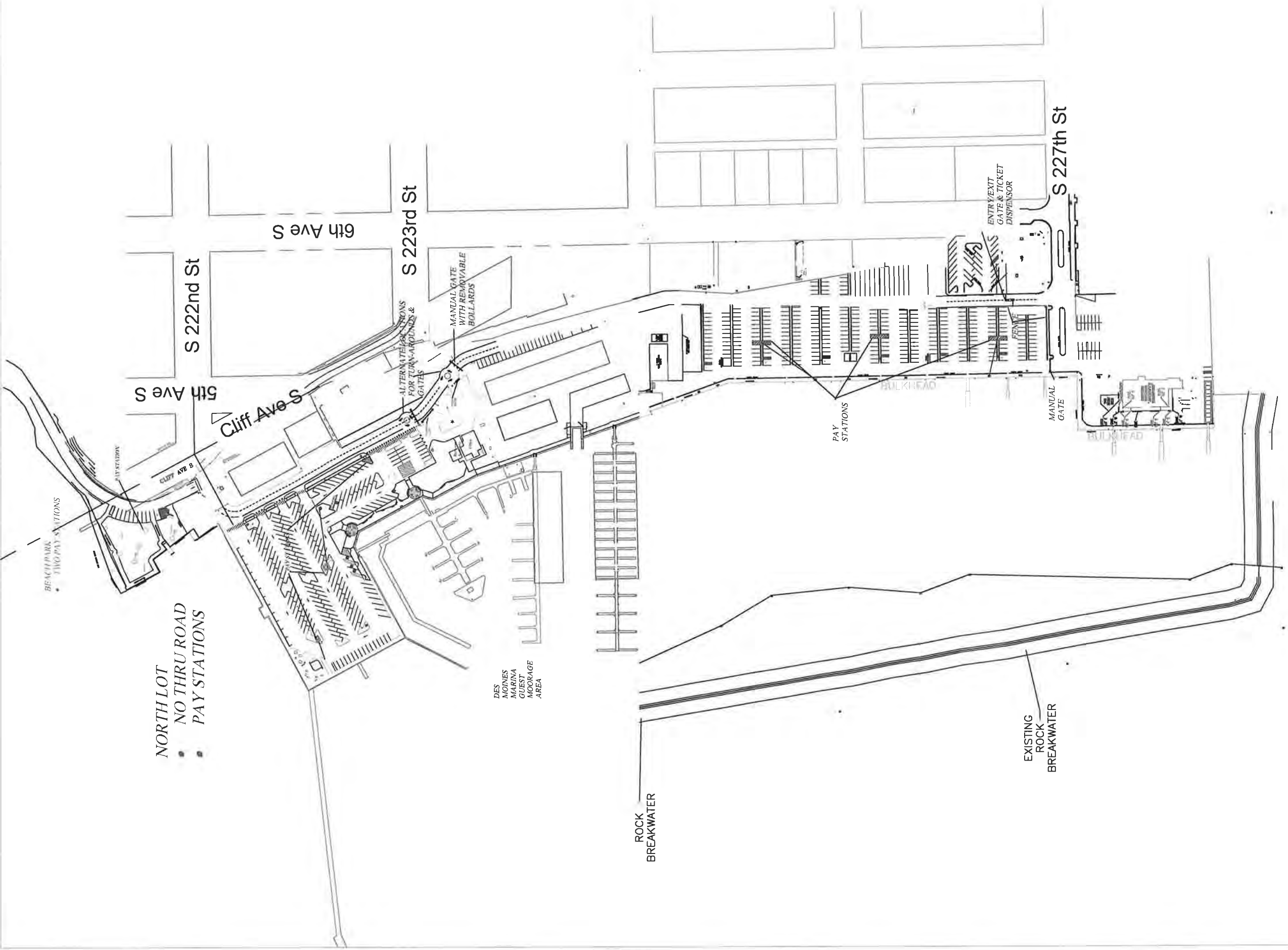
Brian Winningham
BST Associates
PO Box 82388
Kenmore, WA 98028
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(425) 486-7722



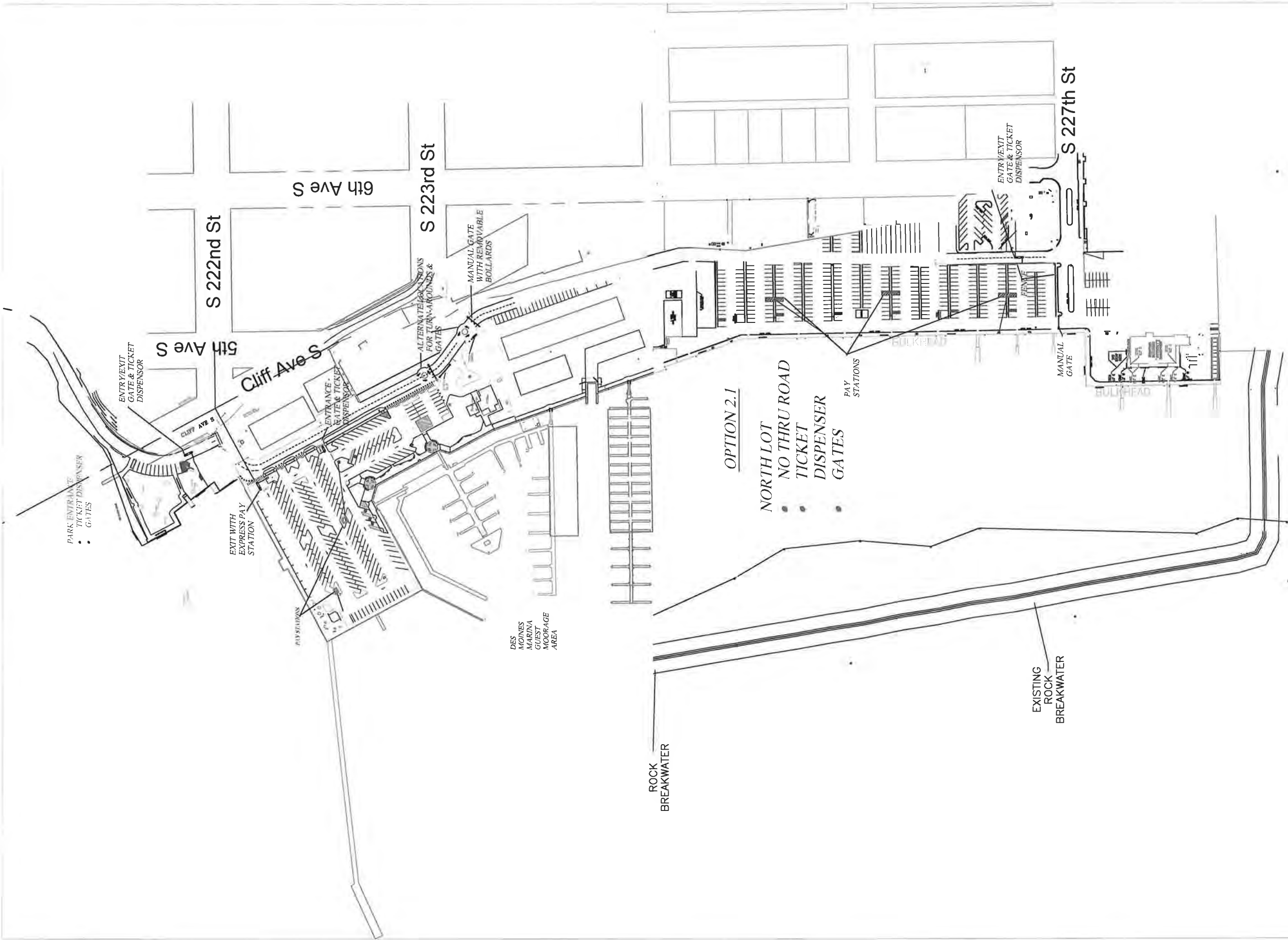
OPTION 1.0



OPTION 1.1



OPTION 2.0



OPTION 2.1

AGENDA ITEM

BUSINESS OF THE CITY COUNCIL City of Des Moines, WA

SUBJECT: Draft Ordinance 16-018: Automated Red Light Running Enforcement Cameras

AGENDA OF: March 31, 2016

DEPT. OF ORIGIN: Police and Planning,
Building and Public Works

ATTACHMENTS:

1. Draft Ordinance 16-018
2. Prioritized list of potential locations

DATE SUBMITTED: March 24, 2016

CLEARANCES:

- ☒ Legal MA
- ☒ Finance DM
- ☐ Marina N/A
- ☐ Parks, Recreation & Senior Services N/A
- ☒ Planning, Building & Public Works DJB
- ☒ Police [Signature]
- ☒ Courts [Signature]
- ☐ Economic Development N/A

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

Purpose and Recommendation:

The purpose of this Agenda Item is to seek City Council approval of Draft Ordinance 16-018 (Attachment 1) establishing the authority for Automated Red Light Running Enforcement in Des Moines, and to seek direction from the Council on locations for automated red light running enforcement so that staff can negotiate a contract supplement with American Traffic Solutions (ATS). Once the contract supplement is complete, it will be brought back to the Council for approval on the consent calendar.

Suggested Motions

Motion 1: "I move to suspend Rule 26(a) on order to enact Draft Ordinance 16-018 on first reading."

Motion 2: "I move to enact Draft Ordinance 16-018, establishing the authority for automated red light running enforcement in Des Moines."

Motion 3: "I move to authorize the City Manager to prepare a contract supplement for automated red light running enforcement with American Traffic Solutions (ATS) at the following intersection approaches: southbound and eastbound at SR-99 (Pac. Hwy)/South 216th Street, southbound and westbound at SR-99 (Pac. Hwy)/SR-516 (KDM), and northbound and southbound at SR-509 (MVD)/7th Pl South /South 216th St, and to bring the contract back to the Council for approval on the consent calendar."

Background and Discussion:

In late 2015, the Public Safety and Transportation Committee (PS&T) asked staff to evaluate the feasibility of automated red light running enforcement. Staff worked with ATS who is the current vendor at the two automated school speed zone enforcement locations in the City. At the February 4th, 2016 PS&T meeting, staff updated the committee on the twenty-one approach locations that were evaluated by ATS. The evaluation included the expected number of red light violations per day after an 18 month “maturity” period which is industry standard as drivers adjust their compliance at photo enforced locations. Based on the data from ATS, there were fourteen (14) approaches that met the minimum threshold for violations per day that would warrant covering the costs of automated enforcement. The committee asked staff to bring back additional data associated with the 14 potential approaches with specific expenditures and revenues per each.

At the March 3rd, 2016 PS&T meeting, staff prepared a list of the reviewed locations based on violations per day and reported collision history between 2011-2015 per approach (Attachment 2). The PS&T committee met again on March 24th to further discuss potential locations for automated enforcement. The committee recommended that the following locations be included for automated red light running enforcement:

- Southbound and eastbound approaches at SR-99 (Pac. Hwy)/South 216th Street
- Southbound and westbound approaches at SR-99 (Pac. Hwy)/SR-516 (KDM)
- Northbound and southbound approaches at SR-509 (MVD)/7th Pl South /South 216th St

How would the Red Light Running Enforcement program work?

When installed, cameras at selected intersection approaches provide photo identification of red light running violations. The cameras will operate 24/7.

- *Capturing Violations:*
The camera system is linked to embedded sensors located within a predefined monitoring zone. When the sensors detect a vehicle traveling at a speed above the zone’s speed threshold in order to stop at the stop line in time, the camera system is triggered to take the first photo – referred to as the “A” shot – which captures the rear of the vehicle. As the vehicle continues through the stop line, the camera system takes the second photo – referred to as the “B” shot. In addition to these two photos, the system records a synchronized video clip of the violation to enhance enforceability.
- *Processing Violations:*
When a violation is captured, the data is transmitted to ATS’s processing center, where trained analysts review the material to confirm whether a potential violation did take place. The images are magnified and cropped and the identity of the vehicle’s registered owner is verified using the license plate number.

If a violation is confirmed based on the City’s established parameters, the data is then forwarded to the Des Moines Police Department in an encrypted and secured format. At that point a Des Moines Police Officer reviews the images and makes the final – and official – determination concerning the violation. Based on this review, the officer will either verify or reject the violation. All violations must be approved by an authorized officer from the City’s Police Department. Once the violation is verified by the officer, ATS is authorized to print and mail the citation. If rejected by the officer, the violation is removed from the live system and archived.

- *The Citation:*

The mailed citation includes two color photos of the vehicle denoting the violation as well as a magnified and cropped image of the vehicle's license plate. The citation also includes a website URL where the citation recipient can access the color photos and video using a security PIN provided in the citation. ATS has found that providing access to this evidence to the recipient can curtail the number of challenges that reach the courtroom. In the event that a recipient does attempt to challenge the citation in court, the judge will have access to the violation images and video footage.

In addition to photographic evidence of the violation, the citation provides the recipient with simple payment options (mail-in or online with a credit card or electronic check) and a Customer Service telephone number.

How much does the Red Light Running program cost?

The vendor offers a cost neutral guarantee, meaning that payments to the service provider can never exceed actual revenue received by the City. The terms of the contract with ATS can be terminated by mutual written agreement if service is not acceptable and there is cause, or if there is legislation or State law that is changed for this type of enforcement.

There is no installation or start up fees, service, or maintenance costs. The City would pay one flat monthly service fee for each monitored approach. After a 30 day warning citation issuance period, the City would be billed monthly at a cost of \$4,750 per fully equipped approach for a single camera and \$5,750 for a dual camera approach (if applicable).

Revenue for this program is generated through the payment of fines for citations issued for running a red light. A fine of \$136 will be issued with the violation. This amount is consistent with the current fine issued by an officer today. 100% of the revenue stays in the local jurisdiction as allowed under state law. Currently, about 60% of the fine issued by an officer goes to the State.

Per Draft Ordinance 16-018 (Attachment 1), revenue from fines would be used solely for public safety purposes as well as costs associated with violation processing, court hearings, fine collection, technology enhancements to support the program, training costs for those involved with the red light program, signage related to the program, police services unrelated to the red light program, and intersection safety improvements.

What are potential impacts on the Police Department?

If Council decides to move forward and authorizes the three intersections (six approaches) for automatic red light running enforcement recommended by the PS&T committee, there would be a significant impact on our current staffing levels within the police department. As discussed, each automated red light intersection would consist of two (2) camera approaches. These six (6) approach locations would generate about 12,500 automated enforcement violations a year to be processed by our officers and then entered into our Records Management System by our records staff. This would equate to an additional twelve (12) hours of work a week to be done by our existing staff. Also, this 12,500 estimate is based on the 18 month maturity rate for the automated enforcement locations. For the first 18 months, there will be significantly more automated enforcement violations to process and it is expected that during this time frame, additional staff hours will be needed to process these additional violations. Based upon the additional staff time needed for data entry into our Records Management System for these violations, the Police Department would also request Council to authorize the Evidence Specialist position be allocated

to a full time FTE. Currently our Evidence Specialist is a .80 FTE and if authorized she would receive cross-training and these additional 32 hours a month would be used in our Records Unit for the data entry into our RMS.

What are potential impacts on the court?

Implementing automated red light running enforcement at the three intersections (six approaches) will put the court beyond the maximum capacity for existing staffing. The six (6) approach locations will generate an additional 12,500 automated enforcement tickets to the courts current caseload. This will bring the courts overall caseload to about 18,000 cases per year just for Des Moines (this does not include Normandy Park cases).

The three intersections (six approaches) will have an impact on the court with its current staffing level. The increase in tickets would impact the workload of the court staff by an additional Fifty-Eight (58) hours a week. Therefore the part-time court clerk would need to be restored back to full-time at the start of the 30 day warning period, and an additional full-time court clerk position will be required. This does not include the hours that will need to be increased for the judge for judicial hearings.

Vendor Selection

The two main vendors that provide red light running programs are American Traffic Solutions (ATS) and Redflex. The City has an existing contract with ATS, and the red light running program would be an addendum to the current contract.

Implementation

For locations on a State Route (i.e. SR-99, SR-516, SR-509), the Washington State Department of Transportation requires a Justification Engineering Report for review and approval. ATS has agreed to assist the City in generating this Justification Report.

Once the red light running enforcement system is installed, traffic signs will be posted to notify drivers that they are entering a traffic signal with Photo Enforcement. For the first 30 days of the red light running enforcement program implementation, drivers running a red light will receive a warning in the mail. The intent of this 30 day warning period is to educate drivers about the red light running enforcement program and the potential safety concerns. Hopefully this warning alone will help change drivers behavior in and around traffic signals.

Staff will work with the vendor to help educate the public about the red light running enforcement program. Staff will provide a media release to the Highline Times, Waterland Blog, and an article will be prepared for the City Currents.

Alternatives:

Council could decide not to establish the authority for red light running enforcement program. The Council could add or remove potential locations under motion 3.

Financial Impact:

Revenue estimates from fines are based on violations, 18 months after installation in order to accurately estimate the revenues needed to cover program costs. In addition, staff has assumed approximately 65% of the issued fines are actually received. The total anticipated gross annual revenue and expenditures for each suggested approach in motion 3 is shown in the follow tables:

Anticipated gross annual revenue

Loc. 17 – SB SR-99 (Pac. Hwy)/S. 216 th St	\$206,502
Loc. 18 – EB South 216 th St/SR-99 (Pac. Hwy)	\$177,463
Loc. 20 – SB SR-99 (Pac. Hwy)/SR-516 (KDM)	\$129,064
Loc. 21 – WB SR-516 (KDM)/SR-99 (Pac. Hwy)	\$206,502
Loc. 11 – NB SR-509 (MVD)/7 th Pl S/S. 216 th	\$193,596
Loc. 12 – SB SR-509 (MVD)/7 th Pl S/S. 216 th	\$200,049
Total Gross Estimated Revenue:	\$1,113,176

Anticipated gross annual expenditures

Vendor costs for 6 approaches above:	\$354,000
Court administration costs:	\$150,142
PD administration costs:	\$20,500 *
Legal/Prosecution costs:	\$3,036
Total Estimated Expenditures:	\$527,678

* (approx. \$65 per 40 violations to review)

Estimated Net Revenue	\$585,498
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Recommendation

Administration recommends that Council approve the proposed motions.

Concurrence:

The Police, Planning, Building, and Public Works, Court, Legal and Finance Departments concur with the recommendation.

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CITY ATTORNEY'S FIRST DRAFT 2/22/2016**DRAFT ORDINANCE NO. 16-018**

AN ORDINANCE OF THE CITY OF DES MOINES, WASHINGTON relating to the Des Moines Traffic Code, authorizing the use of automated red light running enforcement cameras, adding a new chapter to Title 10 DMMC, establishing a penalty, and codifying a new chapter in Title 10 DMMC.

WHEREAS, pursuant to chapter 10.04 DMMC, the City adopted by reference the State's Model Traffic Ordinance which authorizes issuance of citations for school zone speed violations, and

WHEREAS, a red light running study was conducted for certain intersections in Des Moines and the results indicated a significant number of violations, and

WHEREAS, RCW 46.63.170 authorizes the use of automated traffic safety cameras to detect violations at traffic control signals upon passage of a local ordinance authorizing the use of said automated cameras, and

WHEREAS, consistent with the requirements of RCW 47.36.020, the duration of the yellow change intervals at the city's signalized intersections are at least as long as the minimum yellow change interval identified in the manual of uniform traffic control devices, and

WHEREAS, the City desires to use automated traffic safety cameras to detect red light running violations consistent with the authority granted in RCW 46.63.170; now therefore,

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

Sec. 1. A new chapter is added to Title 10 DMMC entitled "*Automated Red Light Running Enforcement*", to read as follows:

(1) Definitions.

(a) Use of words and phrases. As used in this ordinance, unless the context or subject matter clearly requires otherwise, the words or phrase defined in this section shall have the indicated meaning.

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(b) "Automated red light running enforcement camera" means a device that uses a vehicle sensor installed to work in conjunction with an intersection traffic control system and a camera synchronized to automatically record one or more sequenced photographs, microphotographs, or electronic images of the rear of a motor vehicle whenever a vehicle fails to stop when facing a steady red traffic control signal.

(2) Authorized use.

(a) Consistent with the authority granted in RCW 46.63.170, City law enforcement officers and persons commissioned by the Chief of Police are authorized to use automated red light running enforcement cameras and related automated systems only to detect and record the image of red light running violations.

(b) Use of automated red light running enforcement cameras is restricted to intersections of two arterials with traffic control signals that have yellow change interval durations in accordance with RCW 47.36.022, which interval durations may not be reduced after placement of the camera.

(c) Use of automated red light running enforcement cameras is limited to taking pictures of the vehicle and vehicle license plate only, and only while an infraction is occurring. Pictures may not reveal the face of the driver or of passengers in the vehicle.

(d) Each location where an automated red light running enforcement camera is used shall be clearly identified by the City Traffic Engineer with the posting of signage placed in a manner that clearly indicates to a driver that the driver is entering a zone where traffic laws are enforced by an automated camera.

(e) Notwithstanding any other provision of law, all photographs, microphotographs and electronic images prepared under this ordinance and, as provided in RCW 46.63.170(1)(f), are not open to the public and may not be used in a court in a pending action or proceeding unless the action or proceeding relates to a violation under this section. No photograph,

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microphotograph or electronic image may be used for any purpose other than enforcement of violations under this section nor retained longer than necessary to enforce this section.

(3) Notice of infraction.

(a) A notice of infraction based on evidence detected through the use of an automated red light running enforcement camera shall be mailed to the registered owner of the vehicle within fourteen (14) days of the violation, or to the renter of a vehicle within fourteen (14) days of establishing the renter's name and address under subsection (c)(i) of this section. A law enforcement officer shall authorize the issuance of the notice of infraction, which shall include with it a certificate or facsimile thereof, based upon the inspection of photographs, microphotographs, or electronic images produced by an automated traffic safety camera, citing the infraction and stating the facts supporting the notice of infraction. This certificate or facsimile shall be prima facie evidence of the facts contained in it and shall be admissible in a proceeding charging a violation under this ordinance. The photographs, microphotographs, or electronic images evidencing the violation must be available for inspection and admission into evidence in a proceeding to adjudicate the liability for the infraction. A person receiving a notice of infraction based on evidence detected by an automated red light running enforcement camera may respond to the notice by mail.

(b) The registered owner of a vehicle is responsible for a notice of infraction detected through use of an automated red light running enforcement camera unless the registered owner overcomes the presumption stated in this ordinance, or, in the case of a rental car business, satisfies the conditions under subsection (c) of this section. If appropriate under the circumstances, a renter identified under subsection (c)(i) of this section is responsible for such an infraction.

(c) If the registered owner of a vehicle responsible for a notice of infraction detected through use of an automated red light running enforcement camera is a rental car business, the Chief of Police or his designee shall, before such a notice of infraction is issued, provide a written notice

Draft Ordinance No. 16-018
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to the rental car business that a notice of infraction may be issued to the rental car business if the rental car business does not, within eighteen(18) days of receiving the written notice, provide to the Des Moines Police Department by return mail:

(i) A statement under oath stating the name and known mailing address of the individual driving or renting the vehicle when the infraction occurred; or

(ii) A statement under oath that the business is unable to determine who was driving or renting the vehicle at the time the infraction occurred because the vehicle was stolen at the time of the infraction. A statement provided under this subsection must be accompanied by a copy of a filed police report regarding the vehicle theft.

Timely mailing of this statement to the Des Moines Police Department relieves a rental car business of any liability under this ordinance for the notice of infraction. In lieu of identifying the vehicle operator, the rental car business may pay the applicable penalty.

(4) Prima facie presumption.

(a) In a traffic infraction case involving an infraction detected through the use of an automated red light running enforcement camera under this ordinance, proof that the particular vehicle described in the notice of traffic infraction was involved in red light running violation, together with proof that the person named in the notice of infraction was at the time of the violation the registered owner of the vehicle, shall constitute in evidence a prima facie presumption that the registered owner of the vehicle was the person in control of the vehicle at the point where, and for the time during which, the violation occurred.

(b) This presumption may be overcome only if the registered owner states under oath, in testimony before the court that the vehicle involved was, at the time, stolen or in the care, custody, or control of some person other than the registered owner.

Draft Ordinance No. 16-018
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(5) Processing of infractions. Infractions detected through the use of automated red light running enforcement cameras are not part of the registered owner's driving record and shall be processed in the same manner as parking infractions.

(6) Nonexclusive enforcement. Nothing in this ordinance prohibits a law enforcement officer from issuing a notice of traffic infraction to a person in control of a vehicle at the time a violation occurs under RCW 46.63.030(1) as now in effect or hereinafter amended.

(7) Penalty.

(a) The maximum penalty for infractions detected under authority of, and committed pursuant to, the provisions of this ordinance shall ~~be not exceed the monetary penalty for a violation of RCW 46.61.050 as provided under RCW 46.63.110, including all applicable statutory assessments. The monetary penalty two hundred fifty dollars (\$250.00). The monetary penalty for a violation of this ordinance is consistent with the authority of RCW 46.63.170 and shall not exceed the maximum amount of fine issued for other parking infractions within the City of Des Moines.~~

(b) Revenue from fines assessed under authority of this ordinance shall be used solely for public safety purposes or as otherwise provided by state law. For purposes of this section, the term "public safety purposes" may include, but is not limited to, the following:

(i) Personnel costs for employees or contractors who are involved in automated red light running enforcement planning and implementation, including professional services such as traffic engineering services;

(ii) Personnel costs for employees or contractors who are involved in automated red light running enforcement, court hearings, fine collection or other processing, including expert witness fees, and/or technology enhancements to efficiently support program administration;

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(iii) Costs associated with training of employees or contractors involved with the automated red light running enforcement program;

(iv) Purchase and/or maintenance of equipment, including signage, related to the automated red light running enforcement program;

(v) Costs associated with public safety including general fund expenditures for police services unrelated to the automated red light running enforcement program;

(vi) Costs associated with intersection safety projects in the transportation capital fund, unrelated to the automated red light running enforcement program.

(8) Compensation for services. The compensation paid to the manufacturer or vendor of the automated red light running enforcement camera equipment used shall be based only upon the value of the equipment and services provided or rendered in support of the system, and shall not be based upon a portion of the fine or civil penalty imposed or the revenue generated by the equipment.

Sec. 2. Codification. Section 1 of this ordinance shall be codified as a new chapter in Title 10 DMMC entitled "*Automated Red Light Running Enforcement*".

Sec. 3. Severability - Construction.

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

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

Draft Ordinance No. 16-018
Page 7 of 7

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

PASSED BY the City Council of the City of Des Moines this _____ day of _____, 2016 and signed in authentication thereof this _____ day of _____, 2016.

M A Y O R

APPROVED AS TO FORM:

Assistant City Attorney

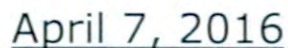
ATTEST:

City Clerk

Published: _____

Effective Date: _____

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4/7/16 Status
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2016/2017 Plan for operational changes:

1. Council / Staff / Public receptions before council mtgs –
 - (Q1/2016 Status) In Work (6:15 to 6:45 before meetings)
 - Frequency (Monthly, Quarterly)
 - Not all members will be at all meetings
2. Set up a Council Gmail Calendar - (Q1/2016 Status) – Complete
3. Schedule Dept. Head / Agenda meetings (Up to 3 Council Members present)
 - Agenda/Futures Meeting (Q1/2016 Status) – Complete (included in Communication Plan)
 - Futures (Agenda and Work Study) 30min
 - Concerns and Successes - All departments 15min
 - Political awareness 5min
 - Council Interests 5min
 - Work Studies (Q1/2016 Status) – In Work
 1. Budget review meetings - Complete
 - After the month is closed - Complete
 - Public summary – TBD
 2. Council Rules - Planned for April 14th 2016
 - Education (College and School Districts) – Planned for Dec 1st 2016
 - Council Planning Sessions – Budget 2016/2017 Planned for Aug 13th 2016
 1. Year-end planning and metrics review – Planned for Nov 5th 2016
 - Elected Officials Tina, Karen, Mia, Dave Upthegrove, Port players – Rescheduling the planned May 5th 2016 date – June 2nd
 - School Dist Reps, Fire District Reps (Bi Annual meetings) – Planned for June 9th 2016
 - Retirement Homes – Plans and objectives – Planned for June 9th 2016
 - Pool District – Planned for June 9th 2016
 - Utilities – Water, Sewer, Power – Planning
 - Bank communication to discuss community reinvestment – Planning - Revisit in (Q3 or Q4)
 - How to turn bank owned properties within Des Moines
 - Community reinvestment
 - Small Business development center
 - Des Moines Businesses Summit (Small and Large) – Planning - Revisit in (Q3 or Q4)
 - Include Main Street?
 - Creates Economic development strategic plan
 - Include Banks, Real Estate, Property Owners
 - Work force development for Des Moines residents in the developing businesses – Skills Ctr HCC, Central
 - Focus on issues and planning
4. **ON HOLD FOR CLARIFICATION** Leadership status meetings. (Mayor, Pro-Tem, relevant committee members or Liaisons)
 - Current issues around the city and in each neighborhood
 - Organizational and Business Discussion
 - Council Rule Update – Moved to an upcoming work study session planned for 4/17/2016

5. **ON HOLD FOR CLARIFICATION** Community Leadership meeting
 - **(This is not an elected meeting)...** City Manager and Assist Mgr, Fire Chief, Police Chief, School District Superintendent(s), College President, Water & Sewer District Managers, Pool District Manager and others if applicable...discuss future plans, ballot issues and general support for each other as community partners. **Need appropriate frequency**
 - Do we have anything like this already? Do we, can we get meeting recaps at council meetings?
6. **Other Successes – (Also See Projects)**
 - **Outreach meetings completed in (Q1 2016)**
 - Huntington Park HOA
 - Marina Association
 - South Shores Condominium Annual Meeting
 - Landmarque Home Owners
 - Landmark on the Sound / Masonic Home Redevelopment
 - **Valley Cities Relocation and land use facilitation (Q1 2016) – In Work**
 - Project relocated and permits withdrawn - **Complete**
 - Sale of property for redevelopment: **(Q1 2016)** – pending
 - Rezone consideration of VC and Redondo Square:
 - Redondo Square owners involved - supportive and interested in the rezone:

2016/2017 Projects – (Metrics TBD)

Budgeting / Planning

- **Marina Paid Parking (Q1/2016 – In Work)** Resident annual fee \$10 - \$15
- **Funding for additional police officers reserves – (Q1 2016) - Under Review**
- **Monthly status with corrections as needed throughout the year (Q1 2016) - In Work**
- **Water Sewer Franchise agreements – All utilities (Q1 2016) - In Work**
 - Communication to the public (PIO need)
- **Raise and balance permit fee's - remaining competitive +\$100K – (Q1 2016) - Under Review PBPW**
- **Highway traffic camera's (minimum of 2 to 4 – Funding to be split between Police and Fund reserves) (Q1 2016) - In Work**
 - Pac Hwy - 216th, Midway crossing and 240th
 - Des Moines Marina District
- **Strategic Planning - Use the School District as an example of a "Master Strategic Plan" for the city; contact the company the school district used.**
 - Community version of the Comp Plan and Budget
- **Roof and facility review – estimates for future planning**
- **Marijuana transaction fee \$1 - \$2 or tax – (Q1 2016) - Unable to implement – Review Complete**

Rebuild Trust in City Government and Leadership

- **Council Advisory Board: (Q1/2016 – In Work)**
 - Be the conduit to connect communities within the city, building a stronger unified community (bring together different groups from across the city)
- Regular community meetings...not just at city hall...hold community meeting in different Neighborhoods. Work with other government agencies to co-host Neighborhood meetings
- **Away Games** – Retirement homes, HC, local schools - TBD
 - (Woodmont, North Hill, Mt Rainier, Parkside)
- **PIO Public Information Officer** – hourly contract (as needed basis until a permanent position can be funded)
 - Statements crafted for email, blogs and social media (1 statement to release to all)
- **Push Communications mobile App** – HSD example
- **Council 101** and department presentations – (Q1/2016 – In Work)
 - DM Government and departments decoded
 - Video on channel 21
 - Look into low cost advertising for local businesses only as revenue stream
 - Look into job advertisements for local businesses

Public Safety

- **Funding for additional police officers – (Q1/2016 – In Work)**
- **Stronger Public Safety and Transportation Committee** work to deal with public safety issues...
- **Commitment to Emergency Management** and Training for City Employees
- Work with the Greater Federal Way **Emergency Management** Group.
- Create a **community Public Safety Committee** with community representatives from different neighborhoods creating a forum to discuss and work on public safety issues. Can be a subcommittee of a New Public Safety Committee.

Other(s)

- **City Manager search – (Q1/2016 – In Work)**
- **Workforce Summit** – how to develop local talent to support incoming businesses
- **25/7 Security** – community camera package program
- **City Security Camera's**
 - Marina, Redondo, Marine View Drive
- **Lobbyist in Olympia**
 - Partner with other cities
- **Rebrand** or better market the city's brand

Attachment A

1. Woodmont Recovery Campus
 - **Project withdrawn by applicant.**
2. Franchise agreement with water and sewer districts
 - **Negotiations started.**
 - **Initial proposals exchanged.**
 - **Second proposal from City to be discussed with Districts on April 6th.**
3. Communications Plan implementation
 - **Direction from City Council provided.**
 - **Implementation on several strategies has begun.**
4. "Government 101" series
 - **On-going**
5. Paid parking – Marina and Beach Park
 - **Presentation to City Council for direction scheduled for 4/7 City Council meeting**
6. B&O taxes on non-profits
 - **Will schedule meetings with non-profits to be held by end of April**
7. Red light cameras
 - **Ordinance presented at 3/31 City Council meeting.**
 - **Reconsideration of ordinance scheduled for 4/7 City Council meeting**
8. Labor negotiations
 - **On-going**
9. Zoning issues
 - Minimum percentage of commercial required in Pacific Ridge mixed use projects
 - **Adopted 3/31/16**
 - Adult entertainment
 - **Adopted 2/25/16**
 - Essential public facilities requirements
 - **Public Hearing to be held 5/12/16**
 - Blueberry Lane
 - **Final plat – On hold pending legal issue**
 - **Rezone – On hold pending legal issue**
10. Des Moines Creek Business Park (DMCBP)
 - Master plan amendment - **done**
 - Street vacation - **done**
 - Port development agreement amendment – **done**
11. 2016 budget savings
 - Furlough – **implemented**
 - Watering conservation at city parks – **implemented**
 - Landscape maintenance reduction – **implemented**
 - Janitorial reduction – **implemented**
 - Code enforcement – **revised procedures being drafted**
12. Economic development – work with ACM on:
 - Business park zoning to the west of DMCBP – **on-going**

- Landmark on the Sound – **on-going**
 - Ono/Furney properties – **on-going**
 - Marina floor commercial development – **on-going**
13. Transition Plan – **draft to be completed by end of April**

At the March 31st Council meeting Draft Ordinance No. 16-018, as amended, was not adopted after a 4 to 3 vote of the Council.

A Motion for Reconsideration, pursuant to Council Rule 28, was made by Councilmember Kaplan, seconded by Councilmember Nutting, and passed 7 to 0. Based on the Motion for Reconsideration Draft Ordinance No. 16-018 is returned to the Council anew (it has been renoted as Draft Ordinance No. 16-018-A).

Draft Ordinance No. 16-018 had been amended striking Section 7 (vi). It comes back before the Council with that section stricken – in legislative format – so that the Council can take whatever action it deems appropriate. Draft Ordinance No. 16-018-A is the Draft Ordinance now before the Council.

Suggested action:

Motion1: "I move to suspend Rule 26(a) in order to enact Draft Ordinance No. 16-018-A."

Motion 2: "I move to enact Draft Ordinance No. 16-018-A, establishing the authority for automated red light running enforcement in Des Moines."

Motion 3: "I move to authorize the City Manager to prepare a contract supplement for automated red light running enforcement with American Traffic Solutions (ATS) at the following intersection approaches: southbound and eastbound at SR-99 (Pac. Hwy)/South 216th Street, southbound and westbound at SR-99 (Pac. Hwy)/SR-516 (KDM), and northbound and southbound at SR-509 (MVD)/7th Pl South /South 216th St, and to bring the contract back to the Council for approval on the consent calendar."

CITY ATTORNEY'S FIRST DRAFT 04/06/2016

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WHEREAS, a red light running study was conducted for certain intersections in Des Moines and the results indicated a significant number of violations, and

WHEREAS, RCW 46.63.170 authorizes the use of automated traffic safety cameras to detect violations at traffic control signals upon passage of a local ordinance authorizing the use of said automated cameras, and

WHEREAS, consistent with the requirements of RCW 47.36.020, the duration of the yellow change intervals at the City's signalized intersections are at least as long as the minimum yellow change interval identified in the manual of uniform traffic control devices, and

WHEREAS, the City desires to use automated traffic safety cameras to detect red light running violations consistent with the authority granted in RCW 46.63.170; now therefore,

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

Sec. 1. A new chapter is added to Title 10 DMMC entitled "Automated Red Light Running Enforcement", to read as follows:

(1) **Definitions - Use of words and phrases.** As used in this Ordinance, unless the context or subject matter clearly requires otherwise, the words or phrase defined in this section shall have the indicated meaning.

"Automated red light running enforcement camera" means a device that uses a vehicle sensor installed to work in conjunction with an intersection traffic control system and a camera synchronized to automatically record one or more sequenced photographs, microphotographs, or electronic images of the rear of a motor vehicle whenever a vehicle fails to stop when facing a steady red traffic control signal.

(2) Authorized use.

(a) Consistent with the authority granted in RCW 46.63.170, City law enforcement officers and persons commissioned by the Chief of Police are authorized to use automated red light running enforcement cameras and related automated systems only to detect and record the image of red light running violations.

(b) Use of automated red light running enforcement cameras is restricted to intersections of two arterials with traffic control signals that have yellow change interval durations in accordance with RCW 47.36.022, which interval durations may not be reduced after placement of the camera.

(c) Use of automated red light running enforcement cameras is limited to taking pictures of the vehicle and vehicle license plate only, and only while an infraction is occurring. Pictures may not reveal the face of the driver or of passengers in the vehicle.

(d) Each location where an automated red light running enforcement camera is used shall be clearly identified by the City Traffic Engineer with the posting of signage placed in a manner that clearly indicates to a driver that the driver is entering a zone where traffic laws are enforced by an automated camera.

(e) Notwithstanding any other provision of law, all photographs, microphotographs and electronic images prepared under this Ordinance and, as provided in RCW 46.63.170(1)(f), are not open to the public and may not be used in a court in a pending action or proceeding unless the action or proceeding relates to a violation under this section. No photograph,

microphotograph or electronic image may be used for any purpose other than enforcement of violations under this section nor retained longer than necessary to enforce this section.

(3) Notice of infraction.

(a) A notice of infraction based on evidence detected through the use of an automated red light running enforcement camera shall be mailed to the registered owner of the vehicle within fourteen (14) days of the violation, or to the renter of a vehicle within fourteen (14) days of establishing the renter's name and address under subsection (c)(i) of this section. A law enforcement officer shall authorize the issuance of the notice of infraction, which shall include with it a certificate or facsimile thereof, based upon the inspection of photographs, microphotographs, or electronic images produced by an automated traffic safety camera, citing the infraction and stating the facts supporting the notice of infraction. This certificate or facsimile shall be prima facie evidence of the facts contained in it and shall be admissible in a proceeding charging a violation under this Ordinance. The photographs, microphotographs, or electronic images evidencing the violation must be available for inspection and admission into evidence in a proceeding to adjudicate the liability for the infraction. A person receiving a notice of infraction based on evidence detected by an automated red light running enforcement camera may respond to the notice by mail.

(b) The registered owner of a vehicle is responsible for a notice of infraction detected through use of an automated red light running enforcement camera unless the registered owner overcomes the presumption stated in this Ordinance, or, in the case of a rental car business, satisfies the conditions under subsection (c) of this section. If appropriate under the circumstances, a renter identified under subsection (c)(i) of this section is responsible for such an infraction.

(c) If the registered owner of a vehicle responsible for a notice of infraction detected through use of an automated red light running enforcement camera is a rental car business, the Chief of Police or his designee, shall, before such a notice of infraction is issued, provide a written notice

to the rental car business that a notice of infraction may be issued to the rental car business if the rental car business does not, within eighteen (18) days of receiving the written notice, provide to the Des Moines Police Department by return mail:

(i) A statement under oath stating the name and known mailing address of the individual driving or renting the vehicle when the infraction occurred; or

(ii) A statement under oath that the business is unable to determine who was driving or renting the vehicle at the time the infraction occurred because the vehicle was stolen at the time of the infraction. A statement provided under this subsection must be accompanied by a copy of a filed police report regarding the vehicle theft.

Timely mailing of this statement to the Des Moines Police Department relieves a rental car business of any liability under this Ordinance for the notice of infraction. In lieu of identifying the vehicle operator, the rental car business may pay the applicable penalty.

(4) Prima facie presumption.

(a) In a traffic infraction case involving an infraction detected through the use of an automated red light running enforcement camera under this Ordinance, proof that the particular vehicle described in the notice of traffic infraction was involved in red light running violation, together with proof that the person named in the notice of infraction was at the time of the violation the registered owner of the vehicle, shall constitute in evidence a prima facie presumption that the registered owner of the vehicle was the person in control of the vehicle at the point where, and for the time during which, the violation occurred.

(b) This presumption may be overcome only if the registered owner states under oath, in testimony before the court that the vehicle involved was, at the time, stolen or in the care, custody, or control of some person other than the registered owner.

(5) Processing of infractions. Infractions detected through the use of automated red light running enforcement cameras are not part of the registered owner's driving record and shall be processed in the same manner as parking infractions.

(6) Nonexclusive enforcement. Nothing in this Ordinance prohibits a law enforcement officer from issuing a notice of traffic infraction to a person in control of a vehicle at the time a violation occurs under RCW 46.63.030(1) as now in effect or hereinafter amended.

(7) Penalty.

(a) The maximum penalty for infractions detected under authority of, and committed pursuant to, the provisions of this Ordinance shall not exceed the monetary penalty for a violation of RCW 46.61.050 as provided under RCW 46.63.110, including all applicable statutory assessments. The monetary penalty shall not exceed the maximum amount of fine issued for other parking infractions within the City of Des Moines.

(b) Revenue from fines assessed under authority of this Ordinance shall be used solely for public safety purposes or as otherwise provided by state law. For purposes of this section, the term "public safety purposes" may include, but is not limited to, the following:

(i) Personnel costs for employees or contractors who are involved in automated red light running enforcement planning and implementation, including professional services such as traffic engineering services;

(ii) Personnel costs for employees or contractors who are involved in automated red light running enforcement, court hearings, fine collection or other processing, including expert witness fees, and/or technology enhancements to efficiently support program administration;

(iii) Costs associated with training of employees or contractors involved with the automated red light running enforcement program;

(iv) Purchase and/or maintenance of equipment, including signage, related to the automated red light running enforcement program;

(v) Costs associated with public safety including general fund expenditures for police services unrelated to the automated red light running enforcement program;

~~(vi) Costs associated with intersection safety projects in the transportation capital fund, unrelated to the automated red light running enforcement program.~~

(8) Compensation for services. The compensation paid to the manufacturer or vendor of the automated red light running enforcement camera equipment used shall be based only upon the value of the equipment and services provided or rendered in support of the system, and shall not be based upon a portion of the fine or civil penalty imposed or the revenue generated by the equipment.

Sec. 2. Codification. Section 1 of this Ordinance shall be codified as a new chapter in Title 10 DMMC entitled "Automated Red Light Running Enforcement".

Sec. 3. Severability - Construction.

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

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

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

Draft Ordinance No. 16-018-A
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PASSED BY the City Council of the City of Des Moines this
____ day of _____, 2016 and signed in authentication thereof
this ____ day of _____, 2016.

M A Y O R

APPROVED AS TO FORM:

Assistant City Attorney

ATTEST:

City Clerk

Published: _____

Effective Date: _____