

AMENDED AGENDA

**DES MOINES CITY COUNCIL
STUDY SESSION
City Council Chambers
21630 11th Avenue S, Des Moines, Washington**

February 1, 2018 – 7:00 p.m.

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

COMMENTS FROM THE PUBLIC

Note: Comments must be limited to the items of business on the Study Session Agenda per Council Rule 10. Please sign in prior to the meeting and limit your comments to three (3) minutes.

DISCUSSION ITEMS

- Item 1: Police Staffing
 - o Former Assistant Police Chief Bohl

- Item 2: Emerging Issues

- Page 1 Item 3: Staff Update on Federal Way Link Extension (FWLE)

- Page 5 Item 4: Substitute Draft Ordinance No. 15-206-A to the siting of Essential Public Facilities (EPFs)

- Page 7 Item 5: 2018 City Council Vision, Mission Statement, Goals and Strategic Objectives

~~Item 6: Economic Development Discussion~~

EXECUTIVE SESSION

NEXT MEETING DATE:

February 15, 2018 City Council Regular Meeting

ADJOURNMENT

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A G E N D A I T E M

BUSINESS OF THE CITY COUNCIL City of Des Moines, WA

SUBJECT: Staff Update on Federal Way Link
Extension (FWLE)

ATTACHMENTS: None

FOR AGENDA OF: February 1, 2018

DEPT. OF ORIGIN: Community Development

DATE SUBMITTED: January 22, 2018

CLEARANCES:

- ☒ Community Development SAC
☐ Marina N/A
☐ Parks, Recreation & Senior Services N/A
☒ Public Works PBC

CHIEF OPERATIONS OFFICER: DSB

- ☐ Legal _____
☐ Finance N/A
☐ Courts N/A
☐ Police N/A

APPROVED BY CITY MANAGER
FOR SUBMITTAL: [Signature]

Purpose and Recommendation

The purpose of this agenda item is to update the City Council on the Federal Way Link Extension (FWLE) current planning activities and work plan through mid-2019 when the design and construction contract will be awarded and highlight actions in 2018 that will be required by the Council.

Background

- FWLE extension through Des Moines was approved as part of ST2 by regional voters in 2008.
- FWLE extension to Federal Way was approved as part of ST3 in November 2016.
- The City's preferred alignment alternative was chosen as the FWLE preferred alignment in July 2015.
- Final EIS and final alignment and project-to-build was approved in January 2017 and the environmental mitigation was approved by the Federal Transit Administration (FTA) and the Federal Highway Administration (FHWA) in March 2017.
- Notice to Proceed will be issued to Design-Build contractor (DB) in Summer 2019 with FWLE service to the Kent Des Moines Station and Federal Way scheduled to begin in 2024.

Discussion:

Each of the residential parcels acquired in whole or in part along the Des Moines portion of the FWLE are uniquely impacted by the right-of-way acquisition and design requiring administrative flexibility in the application of the DMMC and design of the FWLE. Last week the Sound Transit Board authorized full or partial acquisition of 22 of the required parcels. During the Council update on February 1st, staff will update the Council on the status of the all Des Moines acquisitions required for the project.

Sound Transit is working with individual property owners, explaining how the planned landscape buffer design will affect their property and offering additional buffer landscaping on their property to further mitigate the effect of the FWLE, incorporating these negotiated conditions into the Design Builder contract documents.

On December 7, 2017, the City Council enacted two ordinances to help facilitate the project:

- Zoning Code change to landscape, nonconforming and wall/fence chapters to (1) ensure the western edge of the guideway through Pacific Ridge will be a complementary feature of the Pacific Ridge Neighborhood with well-designed landscape buffer and noise walls and (2) minimize impacts for existing affected property owners.
- Environment Code change to establish an off-site tree mitigation and fees paid-in-lieu program as a FWLE landscape design option.

Later this winter at a continued public hearing, the City Council will be asked to consider a Zoning Code change to provide for an alternative land use permitting process for essential public facilities (EPF) using a development agreement instead of a more intensive Unclassified Use Permit (UUP) or Conditional Use Permit (CUP) process as currently required along with other changes to the EPF Chapter. Community Development Director Cezar will provide further information on this immediately following this agenda item on February 1st.

The regulatory changes in these ordinances will provide the regulatory framework for the FWLE landscape design and will be incorporated into ST's design builder (DB) request for proposals (RFP) as design parameters. The changes will also be incorporated into the mid-2018 City Council-approved development agreement with ST which will also become a DB requirement. Once a DB is competitively selected, the DB will complete the landscape buffer design and submit these plans to the City for permit approval. The landscape plans are expected to include certain modifications as permitted by the DMMC to include buffer averaging and offsite mitigation. The City will review and approve these plans with conditions consistent with the DMMC, the RFP and the DA. The final impact on individual property owners and the Pacific Ridge Neighborhood will not be completely defined until permits are issued in 2019.

The City's approval of the buffer design will also require that the noise generated by the FWLE and the SR 509 extension, as estimated by the FWLE EIS and by a City and FWLE peer-reviewed WSDOT noise study, is fully mitigated. That noise study was received last week and is currently being reviewed. These expectations will also be incorporated into the RFP and DA.

Over the past year City staff have worked with ST to complete the following:

- Services Agreement to reimburse the City for staff costs for project administration, design review, planning and design coordination, and permits and approvals. The City will earn about \$180,000 for 2017 services provided to ST under Task Order #1.
- Letter of Concurrence on roadway cross-sections.

- Property Management plan for properties acquired in Pacific Ridge by ST.
- Franchise-type agreement (referred to as a Transit Way Agreement) for operations of the FWLE through Des Moines, and
- Development Agreement incorporating the design and construction standards and permitting process that ST's selected DB will be required to follow when that contractor is selected in 2019.

Over the next 6 months City staff will work with ST to complete the following for City Council and ST Board approval:

- Task Order #2 scheduled for ST Board Capital Committee approval on March 8, 2018
- Transit Way Agreement (TWA) to construct, operate and maintain the FWLE through Des Moines, and
- Development Agreement (DA) incorporating the design and construction standards and permitting process that ST's selected DB and ST itself will be required to follow when that contractor selection is made in 2019. The DA will include:
 - Specific Des Moines roadway improvements
 - DMMC interpretations
 - Design review, permitting and inspection process
 - Construction mitigation including restoration of City streets used a haul or detour routes
 - Minor revisions to project approvals
 - Utility locations

Over the next 3 months City staff will work with Highline College to complete a DA between City Council and Highline College Board of Trustees incorporating the principal understandings between the parties on the design coordination, capital cost allocation, right-of-way vacation and dedications, easements, design and construction standards and permitting process of the College Way street end on the College campus that the City will incorporate into its DA with Sound Transit that ST's selected DB will be required to design and build when that contractor selection is made in 2019.

In summary, here is the current schedule of upcoming FWLE milestones:

- Right of Way Acquisition – Through July 2019
- Request for Design/Builder (DB) Qualifications (RFQ) – March 2018
- Development Agreement with Highline College – April/May 2018
- Transit Way Agreement – June 2018
- Development Agreement with ST – June 2018
- Request for Proposals (RFP) from 3-4 short listed DB teams – July 2018
- DB selected – Winter 2019
- Notice to Proceed – Summer 2019
- Heavy construction completed – 2023
- FWLE service begins - 2024

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A G E N D A I T E M

BUSINESS OF THE CITY COUNCIL City of Des Moines, WA

SUBJECT: Substitute Draft Ordinance No. 15-206-A related to the siting of Essential Public Facilities (EPFs).

ATTACHMENTS:

1. None

FOR AGENDA OF: February 1, 2018

DEPT. OF ORIGIN: Community Development

DATE SUBMITTED: January 25, 2018

CLEARANCES:

- ☒ Community Development Smc
- ☐ Marina N/A
- ☐ Parks, Recreation & Senior Services N/A
- ☐ Public Works _____

CHIEF OPERATIONS OFFICER: _____

- ☒ Legal 16
- ☐ Finance _____
- ☐ Courts _____
- ☐ Police _____

APPROVED BY CITY MANAGER
FOR SUBMITTAL: [Signature]

Purpose and Recommendation

The purpose of this agenda item is to provide an informational update to the City Council on the status of the Essential Public Facilities (EPFs) ordinance.

Background

According to RCW 36.70A.200, EPFs include those facilities that are typically difficult to site, such as airports, state education facilities and state or regional transportation facilities as defined in RCW 47.06.140.

Per the requirements of RCW 36.70A.200, the comprehensive plan of each county and city that is planning under RCW 36.70A.040 shall include a process for identifying and siting essential public facilities, and no local comprehensive plan or development regulation may preclude the siting of essential public facilities. The City of Des Moines 2035 Comprehensive Plan establishes the policy framework for the siting of EPFs, and Title 18 of the Des Moines Municipal Code contains related regulations.

During the fall of 2015, the Des Moines City Council directed staff to develop a comprehensive Ordinance relating to Essential Public Facilities notice, siting, permit process and requirements. On December 17, 2015 the City Council adopted Resolution 1320, setting a public hearing date on February 11, 2016. The public hearing was opened and then continued to May 12, 2016. At the hearing the Council directed revisions to the ordinance and further continued the public hearing to a date to be scheduled. Staff anticipates the continued public hearing will be scheduled in March. Note that since the ordinance is currently in the public hearing process, the study session will be informational in nature. Should the council have questions related to the ordinance, staff will provide the information as part of the continued public hearing.

Discussion

In May 2016, the Council directed staff to revise the ordinance to clarify the permitting process set forth in the ordinance, with the goal of ensuring the timely, efficient and appropriate siting of EPFs (including the Sound Transit Federal Way Link Extension) while simultaneously acknowledging and mitigating the significant community impacts often created by such facilities.

Substitute Draft Ordinance No. 15-206-A has been developed to meet this Council direction. The proposed substitute draft ordinance provisions would:

- Simplify the process by eliminating the two categories of EPFs - Type A and B.
- Revise the definitions and use tables to list specific types of EPFs, allowing for more certainty.
- Eliminate conflicts between the Residential and Commercial use tables (DMMC 18.52.010A/ B) and the Unclassified and Conditional Use section (DMMC 18.140).
- Specify the permit process of either a conditional use permit (CUP) or unclassified use permit (UUP).
- Provide an alternative process to a CUP or UUP through a development agreement.
- Add UUP decision criteria similar to that of a CUP.

Substitute Draft Ordinance No. 15-206-A is generally organized as follows:

- Definitions
- Use Tables
- Affected Agencies/Neighborhood Meeting
- Notification, determination process and appeal
- Decision Criteria
- Conditions
- Alternative process – development agreement
- Independent consultant review and environmental review
- Decision Timing
- Building Permit Application.
- Suspension or revocation of permit.

A G E N D A I T E M

BUSINESS OF THE CITY COUNCIL City of Des Moines, WA

SUBJECT: 2018 City Council Vision, Mission Statement, Goals and Strategic Objectives

FOR AGENDA OF: February 1, 2018

DEPT. OF ORIGIN: Administration

DATE SUBMITTED: January 25, 2018

ATTACHMENTS:

1. 2018 City Council Vision, Mission Statement, Goals and Strategic Objectives
2. 2018 City Council Vision, Mission Statement, Goals and Strategic Objectives (with red-line edits).

CLEARANCES:

- ☐ Community Development _____
- ☐ Marina _____
- ☐ Parks, Recreation & Senior Services _____
- ☐ Public Works _____

CHIEF OPERATIONS OFFICER: _____

- ☒ Legal 76
- ☐ Finance _____
- ☐ Courts _____
- ☐ Police _____

APPROVED BY CITY MANAGER
FOR SUBMITTAL: mm

Purpose and Recommendation

The purpose of this agenda item is to allow the City Council to discuss proposed changes which were made to their 2018 Vision, Mission Statement, Goals and Strategic Objectives at the January 20, 2018 Council Retreat.

Suggested Motion

No motion suggested, informational purposes only.

Background

At the January 20, 2018 Council Retreat, the City Council reviewed their Vision, Mission Statement, Goals and Objectives for 2018. Individual Councilmembers also listed their top two highest priorities for 2018. Attached is a draft document incorporating the City Council's amendments made at the 2018 retreat as well as a list of priorities that were noted. Some of the priorities are already included in the existing goals however some were not. The purpose of this agenda item is to discuss the proposed edits to Attachment 1 and also to discuss whether or not to add additional goals based on the priorities stated

at the City Council retreat. Once finalized, the City Council will be voting to approve the document at their regular meeting on February 15, 2018.

Alternatives

Council may choose to amend their Vision, Mission Statement, Goals and Objectives prior to adoption at the February 15, 2018 Council meeting.

Financial Impact.

None.

VISION

Create a vibrant, inviting, livable, safe and sustainable waterfront community embracing change for the future while respecting our history.

MISSION STATEMENT

Encourage growth and protect, respect, promote, and improve the community by providing leadership and services that reflects the pride of our City and honors our citizens.

GOALS

- Protect people and property.
- Promote economic stability, growth, and vibrancy.
- Improve and enhance the City's transparency through community communications.
- Maintain, and when possible, enhance the City's infrastructure.
- Provide efficient and effective customer-oriented City Services.
- Preserve and celebrate the historic elements of the City.
- Encourage community involvement.
- Preserve livability for all generations.
- Participate in regional and state issues and decisions.
- Protect the natural environment.

STRATEGIC OBJECTIVES

SHORT TERM

- Aggressively remediate nuisance properties.
- Update, implement and practice the City's Emergency Management Plan.
- Adopt and Implement a Comprehensive Marina District and Redondo Business Plan.
- Ensure that infrastructure is in place to support development.
- Continue to recognize community members/organizations and City staff.
- Continue to improve and enhance the City's communications plan and strategy.
- Develop and implement an economic development strategic plan.
- Continue to work on developing best possible transit service.
- Continue to support appropriate development opportunities in Des Moines.
- Enhance public safety through appropriate hiring, staffing and technology and continued focus on prevention and community engagement and education.
- Develop a capital replacement program for all of the City Facilities.
- Continue opposition of expansion or increase of operations at SeaTac International Airport and encourage siting of additional airport in a location that does not negatively impact Des Moines.

- Adopt policies that further Council legislative priorities and Intergovernmental Positions (link to adopted priorities doc).
- Partner and collaborate with local, state and federal agencies in working to mitigate negative environmental, financial, and livability impacts.

LONG TERM

- Support on-going programs to improve public safety.
- Aggressively remediate nuisance properties.
- Pursue mass transit and other multi-modal transportation options.
- Maintain the Police Department's accreditation.
- Develop and implement an economic development strategic plan.
- Continue and enhance the City's collaborations with the educational communities.
- Develop a comprehensive facilities, infrastructure and technology replacement and maintenance plan to include collaboration with other community partners/entities.
- Continue to educate the business and development community to City improvements and innovations.
- Continue to work with the State Department of Transportation for the design and completion of State Route 509.
- Adequately fund and support programs preserving livability for all generations.
- Continue opposition of expansion or increase of operations at SeaTac International Airport and encourage siting of additional airport in a location that does not negatively impact Des Moines.
- Adopt policies that further the Council's Legislative Priorities and Intergovernmental Positions (link to adopted priorities doc).

VISION

Create A vibrant, inviting, livable, safe and sustainable waterfront community embracing change for the future while respecting our history. preserving our past.

MISSION STATEMENT

Encourage growth andWe protect, respect~~preserve~~, promote, and improve the community by providing leadership and services that reflect~~ing~~ the pride of our City and honors our citizens.
and values of Des Moines citizens.

GOALS

- Protect people and property.
- Promote economic stability, growth, and vitality vibrancy.
- Improve and enhance the City's transparency through community communications.
- Maintain, and when possible, enhance the City's infrastructure.
- Provide efficient and effective customer-oriented City Services.
- Preserve and celebrate the historic elements of the City.
- Encourage community involvement.
- Preserve livability for all generations.
- Participate in regional and state issues and decisions.
- Protect the natural environment.

STRATEGIC OBJECTIVES

SHORT TERM

- Aggressively remediate nuisance properties.
- Update, -iImplement and practice the City's Emergency Management Plan.
- Adopt and Implement a Comprehensive Marina District, Beach Park, and Redondo Business Plan.
- Ensure that infrastructure is in place to support development.
- Continue to recognize community members/organizations and City staff.
- Implement aContinue to improve and enhance the City's ~~written, measurable~~ communications plan and strategy.
- Develop and implement an economic development strategic plan.
- Continue to work on with our neighboring cities, Highline College, Metro and Sound Transit
to developing and best possible transit service~~alternative.~~
- Continue to support appropriate development opportunities in Des Moines.
- ~~Finalize low impact development code implementation and support new code language~~
~~which provides development flexibility in exchange for natural resource preservation~~

~~including existing trees and greenbelts.~~

- Enhance public safety through appropriate hiring, staffing and technology and continued focus on prevention and community engagement and education.
- Develop a Capital replacement program for all of the City Facilities.

Continue opposition of expansion or increase of operations at SeaTac International Airport and encourage siting of additional airport in a location that does not negatively impact Des Moines.

Adopt policies that further Council legislative priorities and Intergovernmental Positions (link to adopted priorities doc)

Partner and collaborate with local, state and federal agencies in working to mitigate negative environmental, financial, and livability impacts.

LONG TERM

- Support on-going programs to improve public safety.
- Aggressively remediate nuisance properties.
- Pursue mass transit and other multi-modal –transportation options.
- Maintain the Police Department’s accreditation.
- Develop and implement an economic development strategic plan.
- Continue and enhance the City’s collaborations with the educational communities.
- Develop a comprehensive facilities, infrastructure and technology replacement and maintenance plan to include collaboration with other community partners/entities.
- Continue to educate the business and development community to City improvements and innovations.
- Continue to work with the State Department of Transportation for the design and completion of State Route 509.
- Adequately fund and support programs preserving livability for all generations.

Continue opposition of expansion or increase of operations at SeaTac International Airport and encourage siting of additional airport in a location that does not negatively impact Des Moines.

Adopt policies that further the Council’s Legislative Priorities and Intergovernmental Positions (link to adopted priorities doc)

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Des Moines Police Department

2018 Succession Plan
Proposal
for
Recruit Training Positions

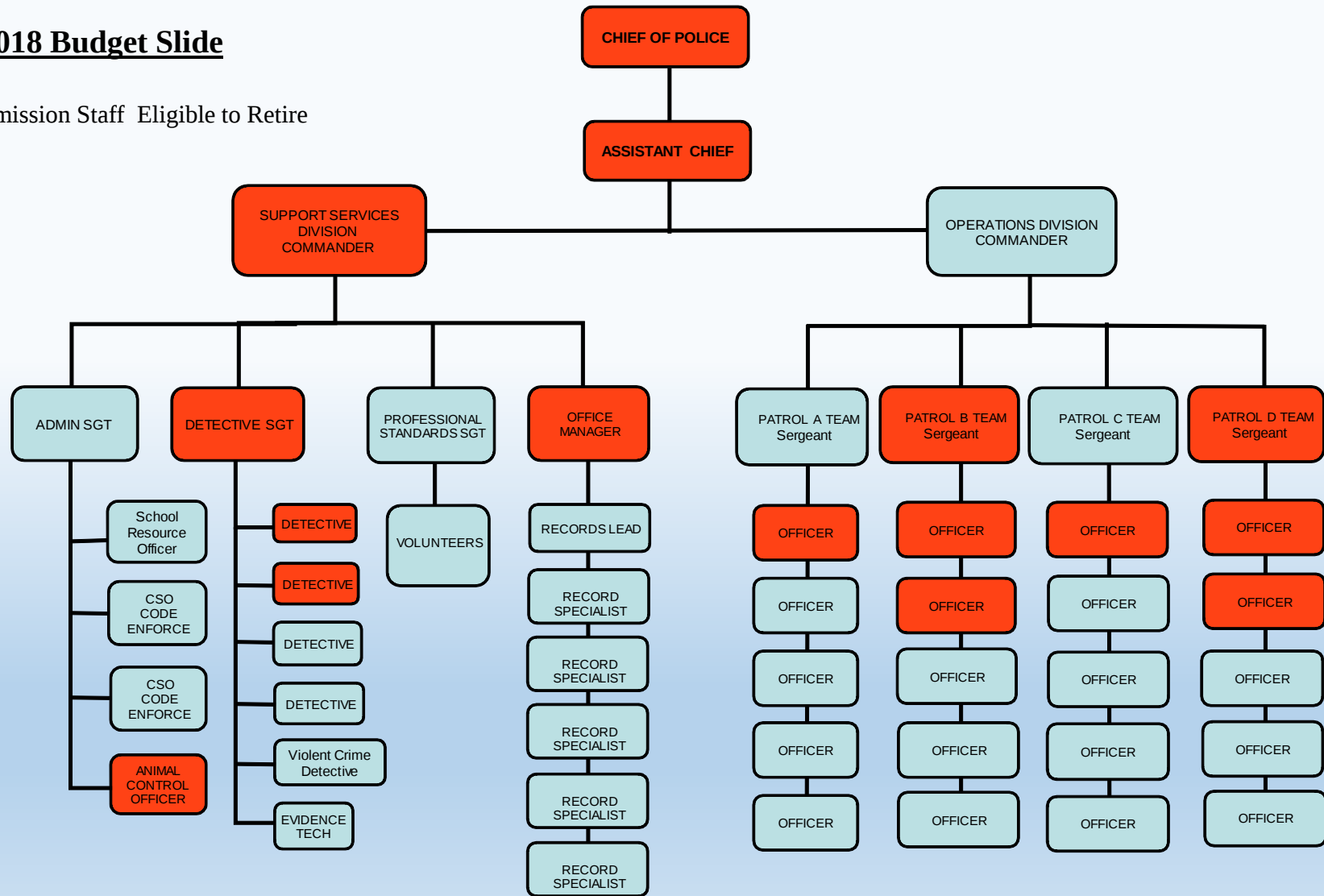


Background

- 2017 Budget allocated 3 additional officers to increase patrol staffing
- Mid-Year allocated an additional 1 Detective FTE (ATF Violent Crime Task Force)
- Due to the hiring challenges - After a full year only filled 2 positions
- 2018 Budget Process - Succession Plan (40% Commission Staff eligible to retire 3-5 Years)

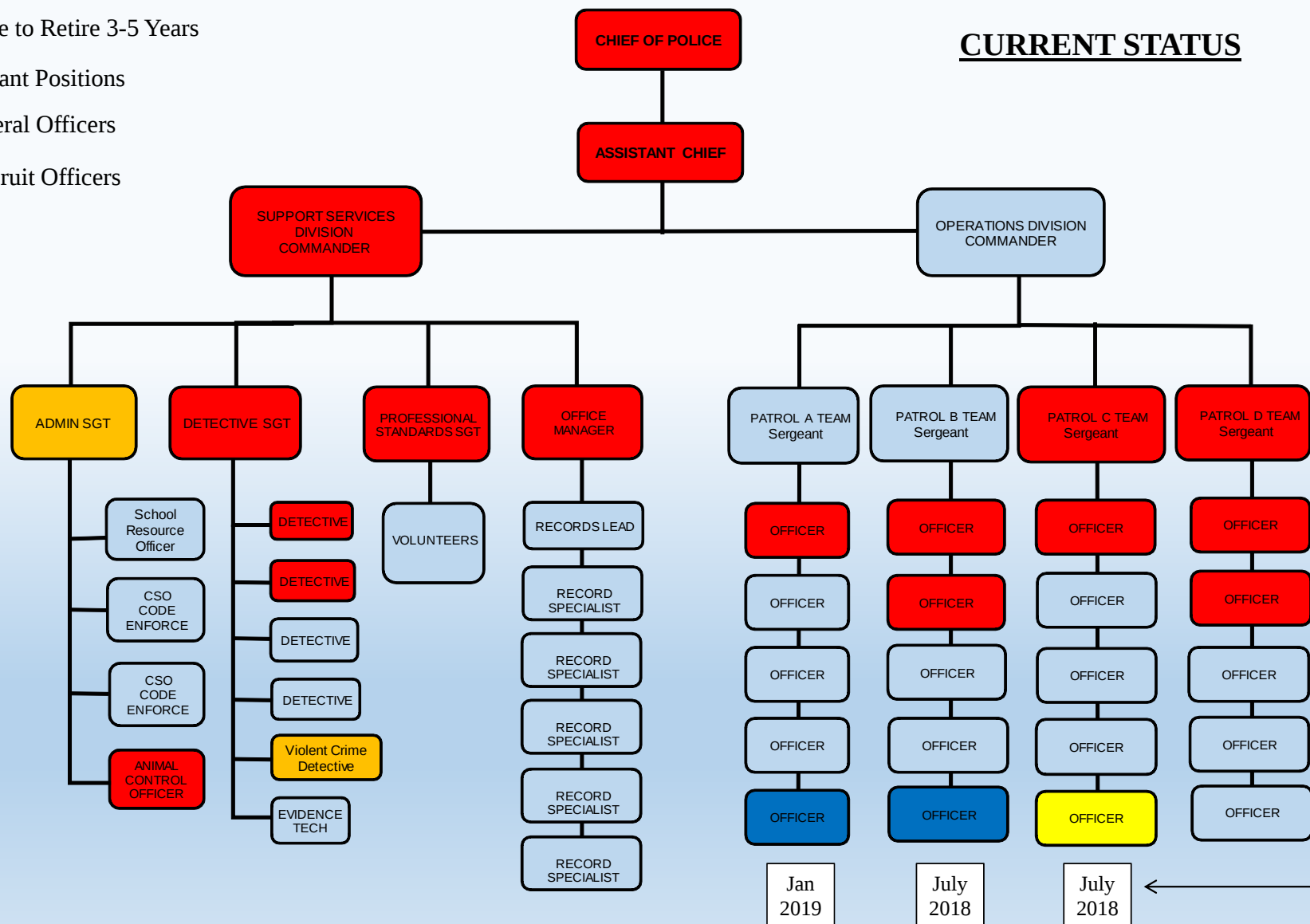
2018 Budget Slide

40% Commission Staff Eligible to Retire



- Able to Retire 3-5 Years
- Vacant Positions
- Lateral Officers
- Recruit Officers

CURRENT STATUS



Anticipated
Training
Completion
Dates



2018 SUCCESSION PLAN

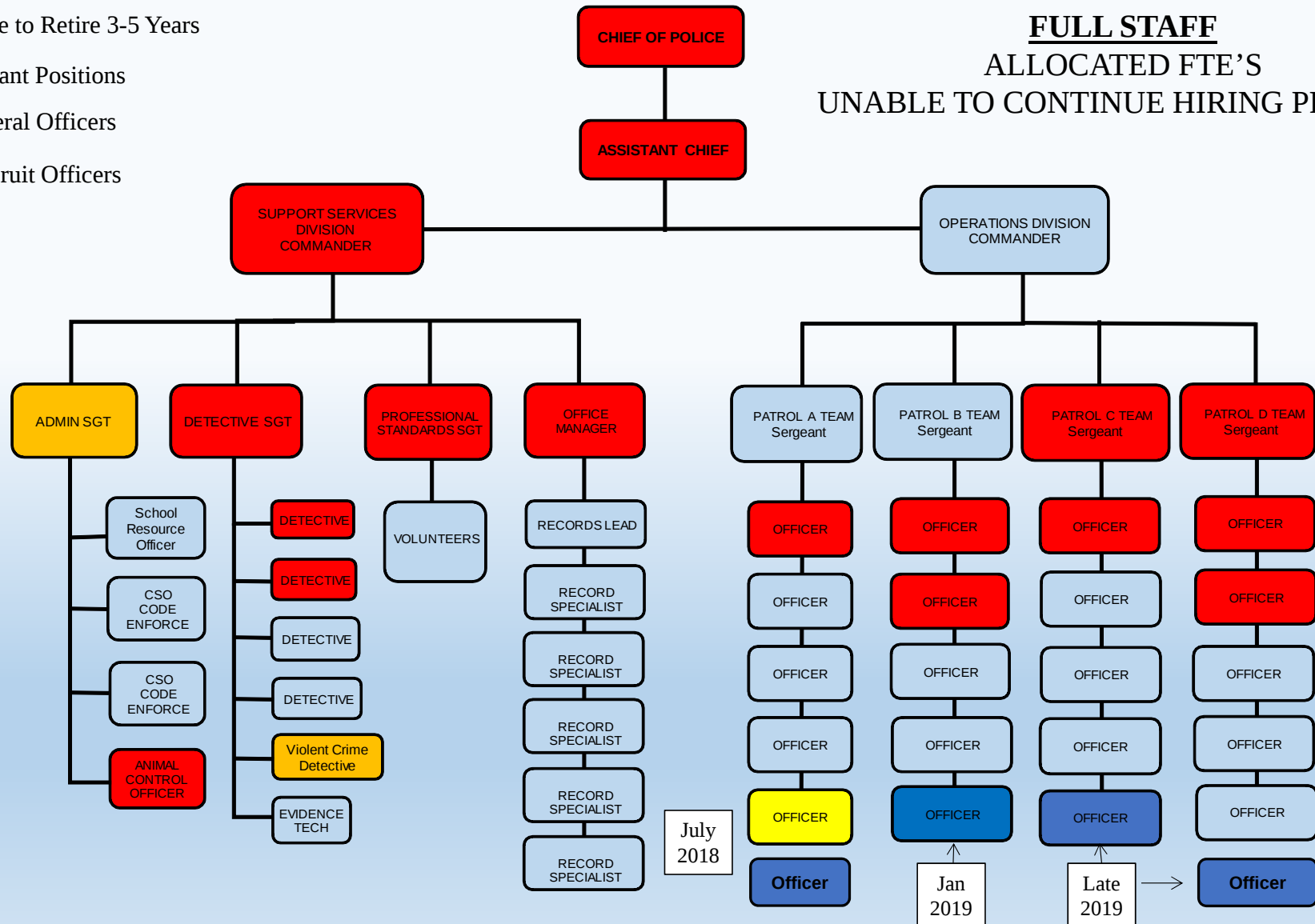
Priority – Hire Officers
(Very Challenging)

WHAT WE HAVE DONE:

- Instituted a police hiring incentive program.
- Worked with Civil Service Commission to streamline our hiring process without lowering our standards.
- Created and mailed out a lateral officer recruitment flyer and sent it to every agency within the State of Washington.
- Identified the only long-term solution to keep the department healthy is to hire more entry level officers.
(But this creates another challenge)

- Able to Retire 3-5 Years
- Vacant Positions
- Lateral Officers
- Recruit Officers

FULL STAFF
ALLOCATED FTE'S
UNABLE TO CONTINUE HIRING PROCESS



July 2018

Jan 2019

Late 2019

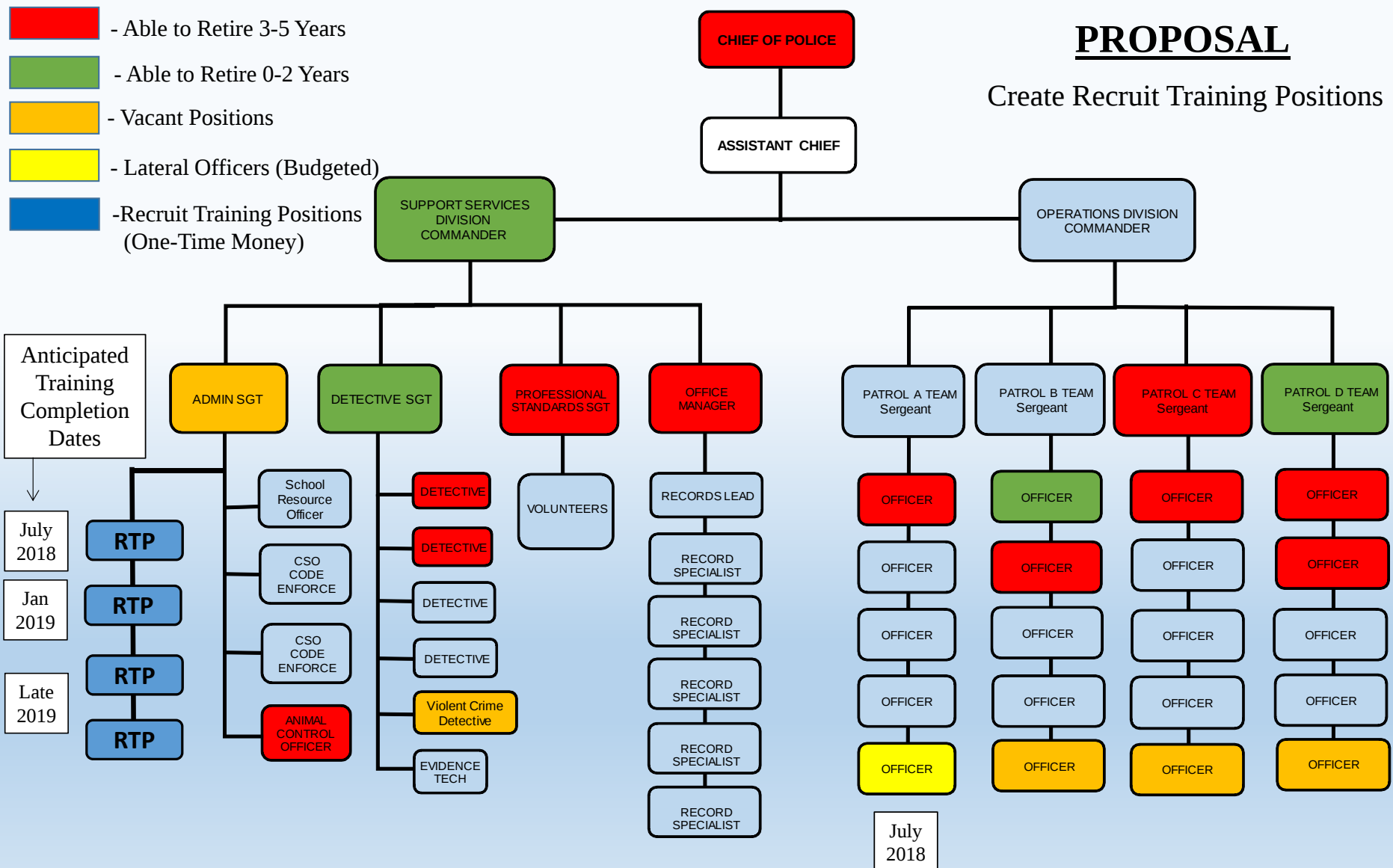
Anticipated Training Completion Dates



2018 SUCCESSION PLAN PROPOSAL RECRUITMENT TRAINING PROGRAM

If Needed:

Allow the ability to use one-time money to create Recruit Training Positions for our entry level officers.





2018 SUCCESSION PLAN

PROPOSAL

RECRUITMENT TRAINING PROGRAM

ADVANTAGES

- Recruit Training Positions (RTP's) mirror anticipated attrition in the next 0-2 years.
- Recruit Training Positions can transfer into allocated budgeted FTE's after Field Training based upon anticipated attrition.
- Doesn't stagnate the hiring process due to fully allocated FTE's.
- Allows the Department to continue to recruit and hire lateral/academy graduate officers using our structural allocated funds for these positions.
- Able to continue to hire entry level officers to mitigate the future attrition issue thus making a healthy organization.



2018 SUCCESSION PLAN PROPOSAL RECRUITMENT TRAINING PROGRAM ESTIMATED COST

Recruit Training Positions (RTP's) based upon the current 2018 Police Guild Collective Bargaining Agreement with maximum personnel benefits. Some other incidental costs may be absorbed by our current budget allocations.

1 RTP	=	\$105,745
2 RTP'S	=	\$211,490
3 RTP'S	=	\$317,235
4 RTP'S	=	\$422,980

Initial Cost (Limited Term RTP)	
Expenditures:	
Pay Grade/Step	P20 B
Hire Date Assumption:	
Salaries and Wages	\$ 62,400
Holiday Pay-Out (Police Only)	\$ 1,440
Overtime	
Overtime-Training (Police Only)	\$ 500
Personnel Benefits	\$ 37,985
Dep Medical EE Contribution	\$ (2,153)
Uniforms	\$ 3,000
Supplies	
Fuel Cost	
Small Tools & Equipment	
Professional Services	
Communications	\$ 420
Travel	
Miscellaneous	
Dues, Schools, Conferences	
Laundry	
Computer Maintenance	
Computer Replacement	
Equipment Maintenance	
Equipment Replacement	
Interfund Insurance	
Total Cost:	\$ 105,745



2018 SUCCESSION PLAN PROPOSAL

RECRUITMENT TRAINING PROGRAM

QUESTIONS

SUGGESTED MOTIONS

Motion 1: “I move to direct administration to move forward with the establishment of a Recruit Training Program for the Police Department, with up to four recruit positions, funded with one-time revenue if needed to cover costs for these four training positions if total Department expenditures exceed budgeted authority.

Motion 2: “I move direct administration to bring forward a budget amendment as necessary to cover the additional one–time expenditures.”

SOUND TRANSIT FEDERAL WAY LINK EXTENSION (FWLE) PLANNING UPDATE BY CITY STAFF

Grant Fredricks, Consultant
Dan Brewer, Chief Operations Officer

February 1, 2018

Purpose

- Introduce key Sound Transit Staff
- Update the City Council on FWLE current planning activities and work plan through mid-2019 when design and construction contract will be awarded.
- Highlight actions in 2018 requiring Council actions.

Background



- FWLE extension through Des Moines was approved as part of ST2 by regional voters in 2008.
- FWLE extension to Federal Way was approved as part of ST3 in November 2016.
- Preferred alignment alternative was identified in July 2015.
- Final EIS and final alignment and project to build was approved in January 2017 and the environmental mitigation was approved by the FTA and FHWA in March 2017.
- Notice to Proceed will be issued to Design-Build contractor in Summer 2019 with FWLE service to the Kent Des Moines Station and Federal Way scheduled to begin in 2024.

FWLE Work Completed in 2017

- Supported ST Board Decision on Project to Build by providing January 2017 MOU committing to work with ST to **facilitate access to Highline College, enhance transit-oriented development (TOD)** potential in the Midway area and at the S 272nd Street Station, and consider **permitting processes that would provide certainty and predictability** for the Project.
- Reviewed FWLE FEIS to confirm the **adequacy of final mitigation commitments** affecting the City.
- Developed a development concept for a **complete street connection between the KDM Station and Highline College** to City standards and in a way that fully integrates the College into the Station Area and supports Highline Place.
- Agreed in principle on **City street projects to be included in the project** and FWLE drainage will be conveyed to the City's SWM facilities.
- Agreed on an approach to **landscape and noise mitigation** that became proposals for DMMC changes.
- Helped finalize FWLE Request of Proposal **Project Requirements** Sections
 - 29 proposed drafts discussed, 2nd drafts reviewed, and final drafts ok'd

Signed Agreements with Sound Transit

Over the past year City staff have worked with ST to complete the following:

- Completed City Services Agreement to **reimburse the City for staff costs** for project administration, design review, planning and design coordination, and permits and approvals.
 - Approved supporting Task Order #1 and **provided \$178,000 (1,525 hours) in reimbursable City services in 2017.**
 - Drafted Task Order #2 for 2018 – mid-2019.
- Signed Letter of Concurrence on **roadway cross-sections.**
- Signed **Property Management plan** for properties acquired in Pacific Ridge.
- Drafted franchise-type agreement (referred to as a **Transit Way Agreement**) for operations of the FWLE through Des Moines, and
- Began work on **Development Agreement** incorporating the design and construction standards and permitting process that ST's selected design build contractor will be required to follow when that contractor is selected in 2019.

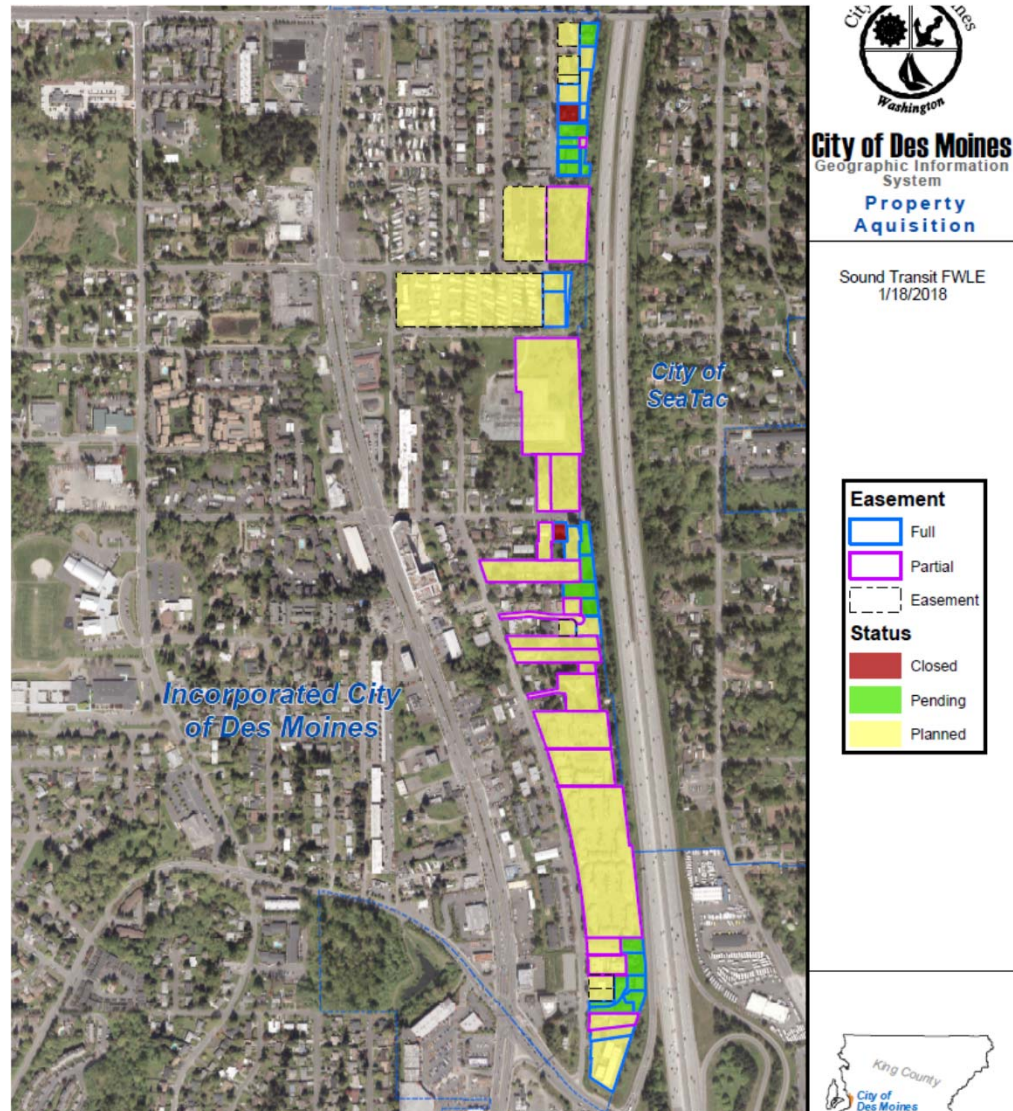
FWLE Right-of-Way Acquisition

(as of 1/18/18)

- ROW acquisition started: Spring 2017
- ROW to be acquired:
 - 150 owners affected (SF, MF, Condos, Commercial, PSE & City)
 - Building Impacted: 43
 - Full Takes: 30
 - Offers Made – 14
 - Acquisitions Completed - 2 (SF)
 - Acquisitions Pending – 1 4-plex (vacant)
 - Partial Takes: 22

FWLE Right-of-Way Acquisition

(as of 1/8/18)



Development Regulation Changes

(December 7, 2017)

- ❑ Zoning Code change to **landscape, nonconforming and wall/fence chapters** to ensure the western edge of the guideway through Pacific Ridge will be a complementary feature of the Pacific Ridge Neighborhood with well designed landscape buffer and noise walls and **to minimize impacts for existing affected property owners.**
- ❑ Environment Code change to **establish an off-site tree mitigation and fees paid-in-lieu program** as a FWLE landscape design option.

Planned Staff Work in 2018

- Begin development of a **permitting and staffing plan** to support design and construction after DB notice to proceed.
- Complete development of **implementing procedures for landscape fee-in-lieu payment and tree replacement** programs.
- **Complete review of FLWLE RFP technical requirements.**
- **Finalize design and construction standards for City streets that will be affected by or included in the FWLE design and construction contract.**
- Provide subject matter expertise to **ST's RFQ and RFP DB selection process.**
- Assist ST in completing acquisition of **rights of way and management of ST properties** in way that support the City's strategic plan for the Pacific Ridge Neighborhood.

Additionally, staff will be preparing the following for City Council review and approval:

Development Regulation Changes

(Spring 2018)

- ❑ Zoning Code change to provide for an **alternative land use permitting process for essential public facilities (EPF) using a development agreement** instead of a more intensive Unclassified Use Permit (UUP) or Conditional Use Permit (CUP) process as currently required.
- ❑ Community Development Director Cezar will provide more detail on this next.

Future Agreements with Sound Transit

Over the next 8 months City staff will work with ST to complete the following for City Council and/or ST Board approval:

- ❑ **Task Order #2** scheduled for ST Capital Committee approval on March 8, 2018 providing for 20 months of reimbursable City services through July 2019. Administration has authority to approve.
- ❑ **Transit Way Agreement (TWA)** (similar to a utility franchise agreement) to construct, operate and maintain the FWLE through Des Moines, and
- ❑ **Development Agreement (DA)** incorporating the design and construction standards and permitting process that ST's selected design build contractor will be required to follow when that contractor selection is made in 2019. The DA will include:
 - 8 specific Des Moines roadway improvements
 - DMMC interpretations, e.g., landscape buffer
 - Design review, permitting and inspection process
 - Construction mitigation, e.g., haul route restoration
 - Minor revisions to project approvals
 - Utility locations

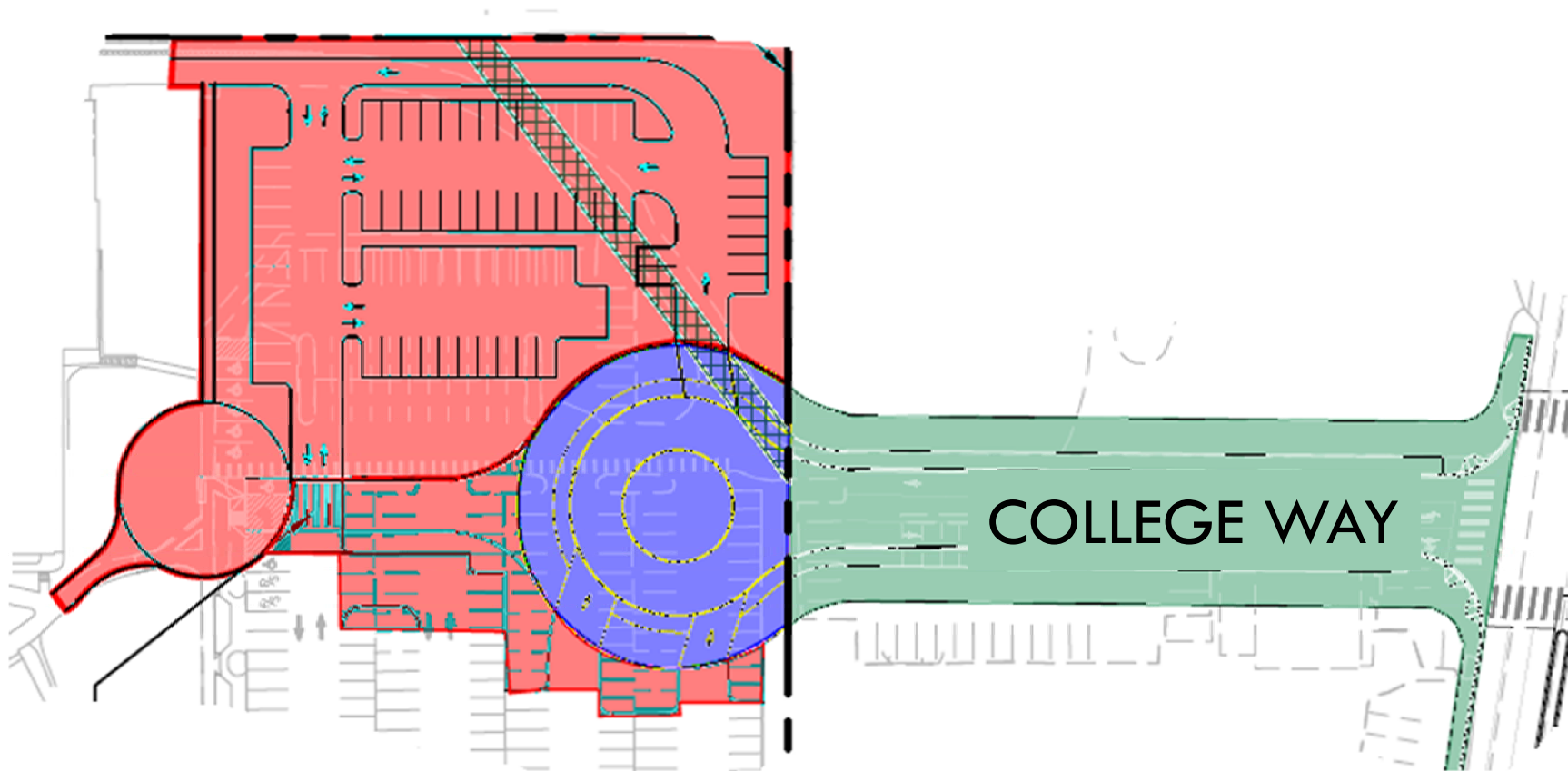
Improvements to College Way and Highline College Entrance

- Complete a **Development Agreement** based on staff's Letter of Concurrence **with Highline College** for improvements to College Way and the entrance to the College off of Pacific Highway South.
- Issues which are close to resolution:
 - ❑ What does the street end look like and where exactly is it located
 - ❑ Parking impacts
 - ❑ Drainage easement(s)
 - ❑ Historic County right of way vacation and new dedication
 - ❑ Who pays for what and how

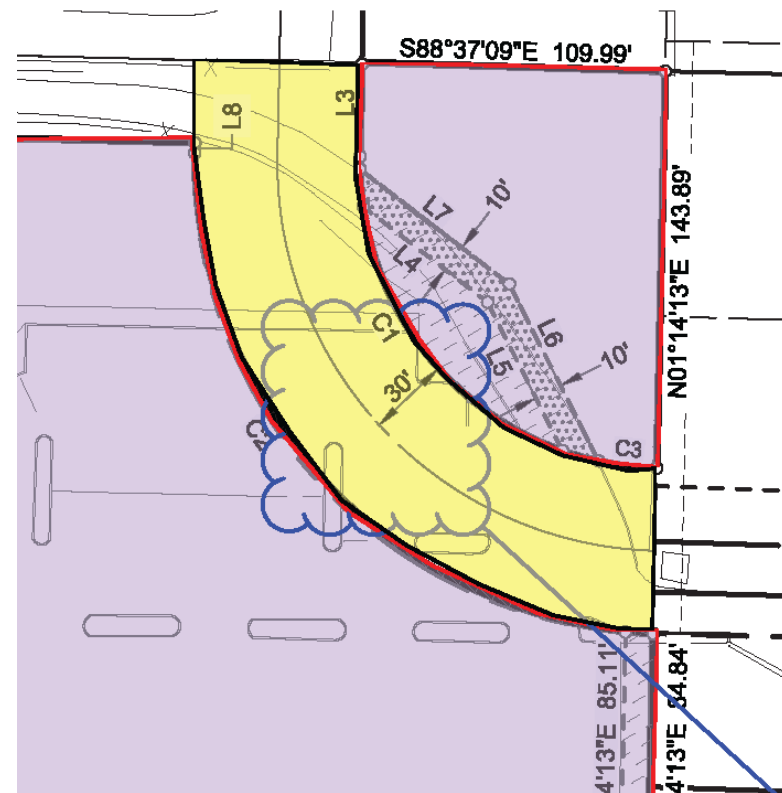
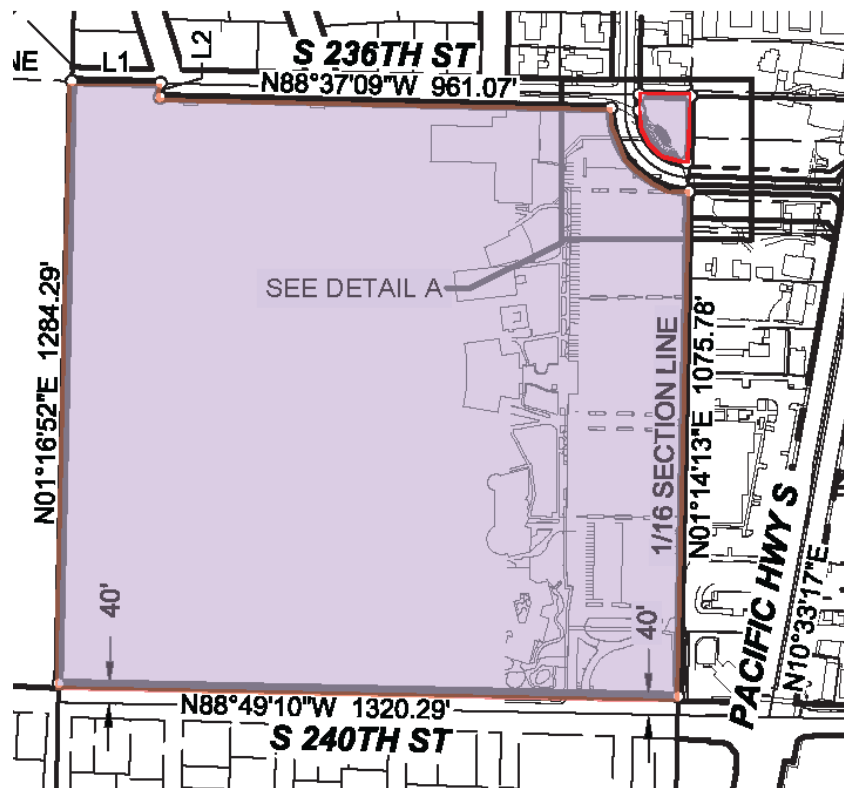
College Way Integration to Campus



College Way Design Concept



Newly Discovered County ROW



Future Agreements with Highline College



Over the next 3 months City staff will work with Highline College to complete the following for City Council and Highline College Board of Trustees, State Board and DNR approvals:

- Development Agreement (DA) incorporating the principal understandings between the parties on the **design coordination, capital cost allocation, right-of-way vacation and dedications, easements, design and construction standards and permitting process of the College Way street end on the College campus** that the City will incorporate into its DA with Sound Transit that ST's selected design build contractor will be required to follow when that contractor selection is made in 2019.
- This DA will be the basis of the City's DA with ST

FWLE Schedule Highlights

- Right of Way Acquisition – Through end of construction in 2023
- Request for Qualifications (RFQ) – April 2018
- Request for Proposals (RFP) from 3-4 short listed design/build (DB) teams – August 2018
- DB selected – Winter 2019
- Notice to Proceed – Summer 2019
- Heavy construction completed – 2023
- FWLE service begins - 2024

ESSENTIAL PUBLIC FACILITIES ORDINANCE

Susan Cezar

Community Development Director

February 1, 2018

PURPOSE:

- Tonight - Informational briefing (not part of the public hearing)
- Public Hearing remains open – to be continued in March
- Please hold deliberations until continued public hearing session convenes
- Follow-up questions via email to Community Development Director (no cc to Council)
- Requested information/answers to be provided at continued public hearing

Essential Public Facilities (EPFs)

- EPFs include those facilities that are typically difficult to site, such as:

Airports, state education facilities, state/regional transportation facilities, correctional facilities, solid waste handling facilities, inpatient facilities including substance abuse and mental health facilities, group homes, and secure community transition facilities

- State law - no local comprehensive plan or development regulation may preclude the siting of essential public facilities

History – Draft Ordinance 15-206

- February 11, 2016 – City Council reviewed the ordinance at a public hearing which was opened and continued
- May 12, 2016 – continued public hearing session
 - City Council directed changes
 - Staff work included Community Development Director, City Attorney, Chief Operations Officer, Consultant
 - Revised Draft Ordinance 15-206A developed

Revised Ordinance 15-206A - Key Changes

- ▶ Clarifies the permit process by eliminating the two categories of EPFs - Type A and B
 - ▶ Previous Type A, included: projects such as City capital projects, schools, student housing – these would follow normal permit process
 - ▶ Only EPFs as defined by state law would follow process in this ordinance (includes any previous Type A EPFs)
- ▶ Ordinance is organized sequentially with permit process
- ▶ Adds definitions for specific EPFs and revises use tables to specify the allowed zoning districts – allows for more certainty
- ▶ Eliminates conflicts between the residential and commercial use tables (DMMC 18.52.010A/B) and the unclassified and conditional use section (DMMC 18.140)
 - ▶ Moves uses and associated notes to the use tables from UUP/CUP section

Revised Ordinance 15-206A - Key Changes

- ▶ Specifies the permit process of either:
 - ▶ Conditional use permit (CUP) - decision by hearing examiner, or
 - ▶ Unclassified use permit (UUP) - decision by the City Council
- ▶ Provides an alternative process to a CUP/UUP through a development agreement, when the City and proponent agree
- ▶ Adds UUP decision criteria - similar to that of a CUP
- ▶ Requires crime prevention through environmental design (CPTED)

Key Policy Issues

➤ Permit process

- Revised draft ordinance retains the UUP requirement for majority of EPFs – City Council decision or delegate to the Hearing Examiner
- Some EPFs would require CUP – Hearing Examiner
- Development Agreement (Alternative Process) – City Council
- Recommendation – CUP or development agreement

➤ Notice – Neighborhood meeting – 2,640 feet (1/2 mile)

- CUP/UUP permit process – 300 feet
- Recommendation – 1,000 feet

Revised Draft Ordinance 15-206A - Outline

- ▶ Definitions
 - ▶ Use Tables
 - ▶ Affected Agencies/Neighborhood Meeting
 - ▶ Notification, determination process and appeal
 - ▶ Decision Criteria
 - ▶ Conditions
 - ▶ Alternative process – development agreement
 - ▶ Independent consultant review and environmental review
 - ▶ Decision Timing
 - ▶ Building Permit Application
 - ▶ Suspension or revocation of permit
- 
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