AGENDA
REGULAR MEETING DES MOINES CITY COUNCIL
October 30, 2008 - 7:30 p.m.

CALL TO ORDER - Mayor Sheckler

PLEDGE OF ALLEGIANCE

ROLL CALL

CORRESPONDENCE

COMMENTS FROM THE PUBLIC: At this time you are invited to comment on items that you wish to bring to Council's attention. Please sign in prior to the meeting and limit your comments to three minutes or less.

BOARD & COMMITTEE REPORTS

PRESIDING OFFICER'S REPORT

COUNCILMEMBER COMMENTS

ADMINISTRATION REPORTS

CONSENT CALENDAR*

1. Motion is to approve the special and regular minutes of October 9, 2008.
2. Motion is to approve the surplus and disposal of four Police vehicles VIN Numbers 2FAFP71W7YX141281, 2FAFP71W7YX1X145055, 2FAFP71W7YX141278 and 2FAHP71WX4X147014 and one Engineering vehicle VIN Number 1FALP52U8SG259065 and authorize disposing of by auction or sale.
3. Motion is to approve the Interlocal Agreement between the City of Des Moines and the City of Tukwila for the provision of professional tourism and marketing services administered by the City of Tukwila under the program name Seattle Southside Visitor Services and authorize the City Manager to sign the agreement substantially in the form as submitted.

*NOTE: Items on the Consent Calendar are either
routine or have been previously discussed.
Any item may be removed by a Councilmember.

OLD BUSINESS

1. Continued Preliminary 2009 Budget Discussions
   SUMMARY:
   Staff Presentation: Finance Director/City Manager

2. Continued CIP Discussions
   SUMMARY:
   Staff Presentation:

3. Draft Ordinance No. 08-163 Regarding Multi-family Tax Exemption
   SUMMARY: The purpose of this agenda item is to continue the City Council's discussion regarding the implementation of a Multifamily Tax Exemption program for development of properties in the Pacific Ridge
   Staff Presentation: Land Use Planner II

NEW BUSINESS

1. Pavement Management System Briefing
   SUMMARY: The purpose of this agenda item is to seek Council direction on a design and construction approach to maintain the City's pavement. Council will be briefed on the current state of the City's pavement asset, provided information of the preliminary engineering efforts undertaken in 2008 to identify and prioritize locations for preservation treatments for the next 3 years of the Pavement Management Program and then asked to provide direction.
   Staff Presentation: Transportation Engineer

2. Commute Trip Reduction Briefing
   SUMMARY: The purpose of this agenda item is to brief Council on updates to the City's Commute Trip Reduction Plan as required by RCW 70.94.21. A public hearing to consider the draft ordinance is scheduled for November 20, 2008. No formal Council action is required at this meeting.
   Staff Presentation: Planning Manager

NEXT MEETING DATE - Study Session November 6, 2008

ADJOURNMENT

CITY OF DES MOINES
Sails With Pride

COMMENTS FROM THE PUBLIC - 3 Minutes or Less
Sign Up Sheet for 10/30/08

PLEASE PRINT

Name	Address	SUBJECT MATTER
Leslie Newman	21001 3rd Ave S.	No JAIL NO WAY
Florence McMullin	1018 S. 246th P	Budget
Katherine Kertzman	14220 Interurban Ave #130 Seattle WA 98168	~~[illegible]~~ Seattle Southeast

PRELIMINARY
SPECIAL MEETING DES MOINES CITY COUNCIL

MINUTES

October 9, 2008

The special meeting of the Des Moines of the Des Moines City Council was called to order by Mayor Sheckler at 6:30 p.m. in the City Hall Conference Room, 21630 11th Avenue South, #A.

<u>ROLL CALL</u> - Present: Mayor Bob Sheckler, Mayor Pro Tem Dan Sherman, Councilmembers Dave Kaplan, Ed Pina, Carmen Scott, Scott Thomasson and Susan White. Also in attendance were City Manager Tony Piasecki, City Attorney Pat Bosmans, Assistant City Manager Lorri Ericson, and Harbormaster Joe Dusenbury.

Mayor Sheckler announced the purpose of the special meeting will be to hold an executive session to discuss with legal counsel representing the City litigation or potential litigation to which the City is, or is likely, to become a party and about which public knowledge regarding the discussion is likely to result in an adverse legal or financial consequence to the City, and to discuss personnel matters and for the purpose of planning or adopting strategies or positions as part of an ongoing collective bargaining process as provided in RCW 42.30.140(4)(b). The Executive Session is expected to last approximately 60 minutes.

[NOTE: Mayor Sheckler left the Executive Session during discussion of labor negotiations to avoid any potential conflict of interest.]

No formal action was taken.

<u>ADJOURNMENT</u>

The meeting adjourned at 7:26 p.m.

Respectfully submitted,

Lorri Ericson
Assistant City Manager

PRELIMINARY
REGULAR MEETING DES MOINES CITY COUNCIL

MINUTES October 9, 2008

The regular meeting of the Des Moines City Council was called to order at 7:33 p.m. by Mayor Sheckler in the Council Chambers, 21630 11th Avenue South, #B.

PLEDGE OF ALLEGIANCE to the Flag was led by Councilmember Kaplan.

ROLL CALL - Present: Mayor Bob Sheckler, Mayor Pro Tem Dan Sherman, Councilmembers Dave Kaplan, Ed Pina, Carmen Scott, Scott Thomasson and Susan White. Also in attendance were City Manager Tony Piasecki, City Attorney Pat Bosmans, Finance Director Paula Henderson, Planning, Building and Public Works Director Grant Fredericks, Transportation Engineer Dan Brewer, Land Use Planner II Jason Sullivan, Police Chief Roger Baker, Sergeant Bob Collins and City Clerk Denis Staab.

Agenda Revision

Mayor Sheckler announced that if there is no objection from Councilmembers, he will take the Presiding Officer's report first. There were no objections.

PRESIDING OFFICER'S REPORT

Citizen Awards

Mayor Sheckler requested Des Moines' Police Master Sergeant Bob Collins to describe a recent incident that occurred in Des Moines.

Sergeant Collins described an incident in detail noting that on Friday, June 20th, about 8:47 p.m., a vehicle with two occupants plunged into Puget Sound waters at the Marina north parking lot. The vehicle drifted about 40 feet from shore and sank in water depths between 12 and 20 feet. He advised that five citizens jumped into the water and were able to rescue the 76 year old male driver via the open driver's door window, however the front passenger, a 86 year old female, could not be freed from the car. He described each of the individual attempts in detail and named the five who will receive a *"Citizen Certificate of Valor"* for displaying extreme courage by placing their own safety in immediate peril in an effort to provide protection or preservation of the life of another as follows:

TRUMAN SKANG
STEVE KOKITA
VAL CHAMPION
BRUCE JOHNSON
TIM KINGHORN

He further advised the 14 year old son of Mr. Kinghorn, BRIAN KINGHORN, will received a *"Citizen Certificate of Merit"* for taking action to save and protect the lives of others for finding a life ring at his father's instruction.

Each of the individuals received a plague describing the events and received tremendous applause from Councilmembers, staff and those individuals present in the Council Chambers.

CORRESPONDENCE

Highline School District

City Manager Piasecki informed Council correspondence has been received from the School District Superintendent and School Board requesting a meeting between the City/School elected officials. The District has asked that we join with the cities of Burien, Normandy Park and SeaTac in a summit on May 6, 2009, around 4:30 p.m. to 7 p.m., to continue building a relationship, informing one another regarding major projects and to support youth in our community. He requested Council save this future meeting date.

COMMENTS FROM THE PUBLIC

Clark Snure, 27423 8th Avenue South, Member of Des Moines Arts Commission

Mr. Snure thanked the Councilmembers for past funding to the Arts Commission and its projects. While he recognizes the City is facing a budget crises for 2009, he asked that the Arts Commission not be forgotten as the programs and performing arts planned for the future add to the life style of the City.

Rikki Marohl, 22807 17th Avenue South, Representing the Farmer's Market

Ms. Marohl advised Council that this was a successful year for the Market and thanked Council for their support. She invited Council to the Chili Cook Off on October 25th and encouraged them to bring donations for the Des Moines Food Bank.

Councilmember Kaplan noted Council will be holding a budget retreat on that date.

City Manager Piasecki suggested perhaps Council could take an extra long lunch in order to attend part of the event.

Shirley Jones, 815 South 219th #4

Ms. Jones thanked the Arts Commission for all their time and effort in this years activities and enhancing community spirit. She also thanked Council for their support.

Denny Steussy, 1912 South 254th Place, Vice Chairman of the Arts Commission

Mr. Steussy thanked Council for the past 2 years funding. He noted some of this year's accomplishments as follows:

- Mural at North End of Marina
- First Waterland Music Series at Highline Community College
- Beach Park Concert Series
- Supported Children's Fair on Opening Day of Farmer's Market
- Provided Support for July 4th and 5th Spirit of Des Moines Celebration
- Evening of the Artists Program at Des Moines Sr. Center in April
- November 18th & 24th Waterland Music Concert Series
- Working with Destination Des Moines for the Holiday Tree Lighting Program - Dec. 5th

He concluded by thanking the Council for their generous financial support and hopes Council sees the benefits of a vibrant and strong program in the arts not only benefits the citizens of Des Moines, but enhances tourism and businesses. While it is a tough economic time the Commission hopes to be able to be funded around $8 to $12 thousand to continue the developed programs and move ahead.

BOARD & COMMITTEE REPORTS & COUNCILMEMBER COMMENTS

Spaghetti Dinner

Councilmember Scott encouraged everyone to attend the Spaghetti Bash Dinner at the Activity Center tomorrow night, from 5 p.m. to 7:30 p.m. Following that event, starting at 7:30 p.m. there will be a Comedy Night at the Des Moines Field House.

Sea Serpent

Councilmember Scott noted a 20' to 25' Sea Serpent has been installed at the floating facility on the side of L-Dock. She noted a local artist helped create it and she felt it was great that somebody privately decided to carry out one of the Storefront Studio ideas.

2009 Des Moines Calendars

Councilmember Scott announced that the 2009 Des Moines' Calendars should be available the week-end of October 18th and will be available at the Farmer's Market and other places around town.

Earlier Citizen Awards

Councilmember Pina advised he was impressed by the awards given earlier tonight to those people who put their own lives in jeopardy to save others.

Des Moines Arts Commission

Councilmember Pina expressed appreciation to the Arts Commission and the wonderful work they have done and hopes Council can figure out a way to provide reasonable financial support.

Arts Commission Meeting

Councilmember White reported attending a meeting held yesterday. She expressed hope that Council can find a way to continue funding to the Commission to provide fun things for the City through all the current "gloom and doom".

Southwest King County Economic Development - Executive Committee

Councilmember White noted she attended an Executive Committee meeting yesterday. She informed Council there will be a request for $7,500 from each city for 2009 to encourage future economic development.

2009 City Budget

Councilmember White advised she is not looking forward to developing the budget for 2009 under current financial circumstances. She encouraged citizens to share their thoughts and ideas on funding.

Municipal Facility Committee

Mayor Pro Tem Sherman stated the Committee met last Friday. Topics of discussion included an update to the Des Moines Creek Trail Project, completion of the Des Moines Field House Park Renovation Project, including the Grand Stand, replacing the Des Moines Beach Park Play Equipment in the year 2010, and renovation of the Beach Park historic buildings.

Earlier Citizen Awards

Mayor Pro Tem Sherman expressed appreciation for the opportunity to meet the citizens involved in the rescue, as it means a lot, and feels that is what community is all about.

Mayor Sheckler expressed agreement with Mayor Pro Tem Sherman, noting that there were around 100 people at the Marina at the time, and to him these citizens represent what being a hero is all about.

ADMINISTRATION REPORTS

Art Donation

City Manager Piasecki announced that the Artist was unable to attend tonight's meeting, so he may reschedule this item.

Initiative Measure 985 - Reduce Traffic Congestion

Planning, Building and Public Works Director Fredricks noted a detailed packet of information was provided to Council in their September 25th agenda packet. He displayed a copy of the question that will be before the voters in November, asking for a yes or no vote. He summarized the ballot summary which basically talks about the changes in the high occupancy vehicle lanes, light synchronization and the dedication of additional revenues. He further noted that the first, second and third bullet points speak about the redirection of sales tax monies from vehicle sales from the General Fund to transportation purposes, the way in which public buildings are required to set aside a certain amount of money for public art and the fourth bullet point talks about those cities and counties that have installed red light cameras and how all of that money will be redirected into the Congestion Account. He noted the initiative itself summaries the express purpose and referred to the 2007 State Auditor's Performance Audit that the goal is to make travel time faster, roadway safer, reduce congestion, increase safety and improve air quality. He continued by noting that the Association of Washington Cities (AWC) has identified the impacts to cities including Des Moines as we would be required to comply and be reimbursed at some point in the future. He noted that AWC concludes that not withstanding the express purposes of the initiative, it will cost the State money and it will create some difficult choices for Legislators, counties and cities for questionable benefits. He advised that the Washington State Office of Financial Management has estimated that $40 million of revenues from cities will be redirected, and that cities and counties and may be required to pay an additional $18.7 million, and will be required to pay that amount every 3 years to keep signals synchronized. There will also be a charge involved in the requirement to change out signage on HOV lanes and access and entrance ramps on to the State's Highway system. He noted other critics of the initiative suggest it is misleading and identifies the potential of interference with buses and safety problems that might be created and create problems in the State's General Fund when monies are redirected from that Fund. In regards to direct impacts to Des Moines he noted the following:

- From $75,000 to $300,000 to synchronize lights on Marine View Drive, plus recurring costs, and impact east/west traffic and pedestrians crossing Marine View Drive

Upon questioning as to whether this initiative blends 3 or 4 separate issues and could be challenged, City Attorney Bosmans noted that the Supreme Court has overturned several such ballots, and she feels they will take a close look at this one too.

Councilmember Pina stated he has read this issue in detail and feels it is poorly written and will actively campaign against it.

Mayor Sheckler noted the cost of up to $300,000 would hurt Des Moines, and advised Council they can take a position against this initiative if they so choose.

City Manager Piasecki reminded Council that if they wish to take an official position it has to be done through a resolution at a properly noticed meeting, giving proponents and opponents an opportunity to speak.

Councilmember White advised that Suburban Cities is opposed to this initiative.

CONSENT CALENDAR was read by City Clerk Staab.

1. Motion is to approve the regular minutes of September 11, 2008.
2. Findings: Vouchers audited and certified by the auditing officer as required by RCW 42.24.080, and those expense reimbursement claims certified as required by RCW 42.24.090, have been recorded on a listing which has been made available to the City Council.
   Motion: As of this date the Council, by unanimous vote, does approve for payment those vouchers and payroll transfers included in the above list and further described as follows:
   Claim checks #116227 through #116425 & electronic fund transfers in the total amount of $591,697.16
   Payroll fund transfers in the total amount of $512,794.89
3. ~~**Draft Resolution No. 08-097 - Title: A Resolution of the City of Des Moines, Washington adopting standards for the delivery of public defense services for individuals charged with misdemeanor or gross misdemeanor offenses in Des Moines Municipal Court.**~~
   ~~**MOTION is to approve Draft Resolution No. 08-097.**~~ [Item removed by Thomasson]
4. Motion is to approve the Interlocal Agreement between the City of Des Moines and the City of Seattle for provision of reimbursable services by the City of Seattle, and to authorize the City Manager to sign the Agreement substantially in the form as submitted.
5. Draft Ordinance No. 08-205 ***[ASSIGNED NO. 1438]*** - Title: An Ordinance of the City of Des Moines, Washington regarding business licensing, repealing chapter 5.44 DMMC and underlying ordinances.
   TWO MOTIONS: First motion is to suspend Council Rule 26(b). Second motion is to approve Draft Ordinance No. 08-205 on first reading.
6. ~~**Draft Resolution No. 08-058 - Title: A Resolution of the City Council of the City of Des Moines, Washington, waiving the state competitive bidding requirement for the purchase of additional security camera equipment and installation services from Reliable Security Services, Inc. for the Marina Security Camera Project, pursuant to RCW 39.04.280 (1) (a); and authorizing the purchase of same.**~~
   ~~**MOTION is to approve Draft Resolution No. 08-058.**~~ [Item removed by Mayor Pro Tem Sherman.]
7. ~~**Motion is to change the Council travel policy to state that Councilmembers be limited in their use of City resources for travel expenses to conferences and events to one overnight event per year unless otherwise directed by the City Council.**~~ [Item removed by Mayor Pro Tem Sherman.]

Mayor Pro Tem Sherman requested Consent Items 6 and 7 be removed from the Consent Calendar.

Councilmember Thomasson requested Consent Item 3 be removed.

MOTION was made by Mayor Pro Tem Sherman, seconded by Councilmember Kaplan and passed unanimously, to approve the remaining Consent Calendar items.

REMOVED CONSENT ITEMS

Consent Item #6 - Draft Resolution No. 08-085 ***[ASSIGNED NO. 1087]*** Sole Source Purchasing for Marina Security Cameras

Mayor Pro Tem Sherman requested information on how the camera system is working and whether there has there been any noticeable benefits.

Harbormaster Dusenbury advised that the system is exceeding expectations and noted the following:

- Have video of people committing crimes on the dock that the Police Department were able to use to apprehend criminals.
- Juveniles were captured who committed 2 crimes on 2 consecutive nights. Later confessed to some home break ins.
- One case was an unauthorized entry, but staff was quickly able to determine there was no crime.

Councilmember Pina commented that in face of significant budget cuts in 2009, he felt maybe this item could be delayed a year or two.

City Manager Piasecki pointed out that this is a Marina budget fund item, not general fund. If we do not spend this money on a Marina related expense, it cannot be used for the general fund. Therefore, it would do nothing to help balance the budget.

MOTION was made by Mayor Pro Tem Sherman, seconded by Councilmember White and passed unanimously, to adopt Draft Resolution No. 08-058 waiving state competitive bidding requirements for the purchase of security camera equipment for Phase II of the Marina Security Camera Project from Reliable Security Services, Inc., and authorize the City Manager to sign the contract substantially in the form as submitted.

Consent Item #7 - Council Travel Policy

Mayor Pro Tem Sherman expressed the opinion that there is no need to alter the travel policy as he feels the current policy has adequate oversight since any travel costing over $150.00 must be approved by the whole Council. He noted he will not support the motion.

Councilmember White expressed agreement with Mayor Pro Tem Sherman.

MOTION was made by Councilmember Pina, seconded by Councilmember Kaplan, to change the Council travel policy to state that Councilmembers be limited in their use of City resources for travel expenses to conferences and events to one overnight event per year unless otherwise directed by the City Council. Motion passed 5 to 2 with Councilmember White and Mayor Pro Tem Sherman opposed.

Consent Item #3 - Draft Resolution No. 08-097 ***[ASSIGNED NO. 1088]*** Adopting Washington Defender Association Standards for Public Defense Services

Councilmember Thomasson felt that perhaps it would be better to adopt by ordinance, and have it in the Code and it either have it automatically updated as the standard changes and/or delegate the authority to the City Manager to update the standard as it evolves.

City Attorney Bosmans noted it could be adopted by ordinance, however it is in resolution form due to the subject matter and it is a part of our Public Defender's contract.

Several Councilmembers suggested this item come back in ordinance form.

Des Moines Municipal Court Judge Alicea-Galvan advised Council that the Court has received a grant for funding the Public Defender and proof of having such standards are needed to apply for a grant this year. She stated that that grant deadline for the grant is October 29th. She requested Council adopt it now as a resolution, and then Council can adopt an ordinance at a later date.

MOTION was made by Councilmember Thomasson, seconded by Councilmember Pina and passed unanimously, to pass Draft Resolution No. 08-097, adopting the Washington Defender Association Standards for Public Defense Services for the delivery of public defense services to persons charged with misdemeanors or gross misdemeanors in Des Moines Municipal Court, as endorsed by the Washington State Bar Association Board of Governors, and as attached to Draft Resolution No. 08-097 as Exhibit A.

NEW BUSINESS

Draft Resolution No. 08-163 ***[ASSIGNED NO. 1089]*** Setting Public Hearing Regarding Multi-Family Tax Exemption in Pacific Ridge

Land Use Planner II Sullivan advised the purpose of the resolution is to set a public hearing date to consider a draft ordinance which would implement a Multifamily Tax Exemption program for development of properties in Pacific Ridge. Also staff will present ideas that should be contained in the ordinance. He advised that the proposed ordinance contained in Council's packet is the "bare bones" that the State requires the City to adopt. He also noted it is for a 8 year tax exemption policy so it is only for "market rate" housing, additionally it is limited to Pacific Ridge and limited to 5,541 units. He stated Council will need to establish how many units at a minimum are needed to qualify for the program. Furthermore Council can establish other higher guide lines such as density, public benefit, height and other types of bulk restrictions, along with other public benefits, minimum lot square footage, size of project or total project area, number of buildings, etc.

Upon questioning, Land Use Planner II Sullivan noted there is a complete removal of the Ad Valorem taxes, so whatever the taxes are on the new building they would be waived, but you would still collect the taxes on the value of the property, plus all other taxes, such as utility, business and occupation taxes.

City Manager Piasecki also noted that any non-residential components of the project would still pay taxes. In addition to Councilmember Pina's question about school levies, he questioned whether a bond proposition would be exempt.

Land Use Planner II Sullivan advised staff will research this further prior to the hearing. He further noted that should a tax exemption be granted, they have 3 years to complete the construction or they lose the exemption.

Councilmember Pina stated he really does not have that much concern, since the Pacific Ridge area is already a very low tax generator.

Councilmember Thomasson advised that he does not want to set a public hearing date until Council has some answers to some of the blanks in the draft ordinance. He questioned whether Section 4 of the draft ordinance is City language or State law. Response was State law language.

Upon questioning, Land Use Planner II Sullivan noted the term residentially target area means those areas in the City that meet Section 3 of the ordinance that the City has identified to take the density. He further advised that in Pacific Ridge zone it was designed to provide housing in both the mixed use and in the residential area.

Councilmember Thomasson felt Council needs to explicitly say what geographically the boundaries are.

Land Use Planner II Sullivan stated that Section 3, subsection 4, that is where it states the specific areas, which includes a map which includes PRC1 and the PRR zones.

Councilmember Thomasson questioned what discretion does Council have on project by project as to whether to authorize, or what language could be added, that we would only allow this if it is in our best interests.

Land Use Planner II Sullivan stated we could add language to add additional criteria under the project eligibility section "that the project has to show that it has positive tax benefits". In other words, by doing this "incentive to lower taxes over here, you are going to encourage development that is going to raise the taxes over here" over the current conditions, once it is completed.

Councilmember White suggested this is an idea that could benefit other areas of the City, not just Pacific Ridge.

Upon questioning, City Manager Piasecki pointed out that in Section 6(1) it says "If the application is approved, the applicant shall enter into a contract with the City, subject to approval by a resolution of the City Council".

Mayor Pro Tem Sherman noted we could set minimum or maximum units allowed, or even limit the applications to one every two years, as other cities have done, to evaluate the impacts. He pointed out that he submitted newspaper articles for Council's consideration (attachment #4 in Council's packet). He estimated that if the units sold for $300,000, the City would be losing over 8 years, $52 million and of that, 18% is pure City of Des Moines dollaars, equaling $9.6 million. He also noted this would be 1,800 units with, 2 people per unit, that would increase our current population by 12%, and these people will need City services. He reminded Council our current general operating fund is $2.8 million in arrears. He cautioned Council to carefully consider the impacts this legislation could have to our City. He stated it is his opinion this is one of the worse pieces of legislation he has seen in all his years on the Council, and cannot support.

At the request of Councilmember Scott to respond to some of Mayor Pro Tem Sherman's concerns, Ms. J.J. McCament, with McCament & Rogers, a real estate consulting firm, referenced the $52 million Mayor Pro Tem Sherman said would be paid by others and she disagreed with that idea. She interprets it that the land, the improvements on the land raise the tax value, so the school systems, the Port and everything else will actually be getting more money than they would if the development did not happen. She acknowledged that he is correct that there are costs for Fire and Police. She reminded Council that after the eight years, the full impact of the expensive condos will be available, in the meantime those residents are spending their discretionary income into the neighborhood. She distributed a handout regarding a property tax exemption program for the Arabella Apartments in the City of Shoreline for Council to study. As to how to use this incentive Ms. McCament felt this is entirely Council's decision as to how fast they may want to develop or meet GMA requirements.

Councilmember Scott noted she sees Pacific Ridge as an area with a history of criminal activity, with citizens afraid to live there, that is hard to compare to other areas. She felt if Council expects a change, we should not discourage someone who wants to develop in a far better way a large enough piece of land to cause beneficial changes to occur all around it. With the bad economic times, most developers are not building unless they see some benefit.

9:10 p.m. Mayor Sheckler called for a 10 minute break.

Councilmember Kaplan felt Councilmembers need to provide some more detailed guidance to staff so they can bring back something that more closely reflects Council's concerns or at least options to consider. He felt that currently in Pacific Ridge there are areas that are currently vacant or have mobile home parks or some other lower use, for which the City is collecting little or no property taxes. He felt any new development will bring in more property taxes, setting aside any utility taxes, therefore setting aside any property tax for a period of eight years on the residential portion is not going to cause hardship to anybody, since it is not something we have now. He also felt it is not proven that the demands of the people who will be living there are going to exceed the demands of those who live there now. He noted this is not true for the entire Pacific Ridge and that is why he is willing to define a smaller area. He also felt the material presented by Mayor Pro Tem Sherman does not paint a fair picture. He expressed agreement with Councilmember Scott that this could help generate the changes needed in the Pacific Ridge area. He further expressed agreement with Councilmember Pina that under Section 3(4) item B should be dropped until this has been tested in a particular area and it has been demonstrated that it makes sense. He noted he would like to move this to a public hearing, but not until Council has provided more guidance to staff that reflects the consensus of the Council.

Mayor Sheckler requested Council consider whether holding a public hearing on October 30th will allow enough time to reach any kind of a consensus of the contents of the draft ordinance that will be considered.

Councilmember Pina expressed agreement with Councilmember Kaplan and disagreement with Mayor Pro Tem Sherman. He emphasized that Pacific Ridge is a unique situation, with a high crime rate, only generating land value taxes in a lower income housing area. He noted he would like to see this legislation limited to that area only.

Councilmember Thomasson advised he still has a lot of questions regarding the limitations he would like to see, and criteria he would like added. He felt more Council discussion and debate is needed before a public hearing is held. He does not feel there is enough time between now and October 30th', not to mention working on the 2009 budget. He would prefer Council concentrate on the budget first and set this hearing for sometime in January.

Mayor Pro Tem Sherman advised he is trying to convince Council of the folly in doing this as we do not have to adopt a property tax exemption program. He again noted that additional citizens will require some services, but they will not be paying property taxes to pay for the costs of those services. He reminded Council the City is already struggling with the costs of services and potentially cutting employees who help provide services.

Mayor Sheckler questioned how much revenue the City is currently receiving from the Pacific Ridge area versus what we are spending. He felt there is a benefit to the City to allow this compared to what is currently happening in that area. He also felt that this legislation should be limited to a specific area to allow time to see if it might work in other areas of the City. He invited Mr. Chan to comment on delaying legislative action until January.

Matt Chan, Manager of S.S.I.Pacific Place, LLC, developer in Pacific Ridge area, informed Council he hopes to locate his business offices in Des Moines. He advised he shares Council's vision to reform the Pacific Ridge area. He noted next week he will be spending around $45 thousand in application fees to the City and has already spent $200 thousand in revising his plans and therefore he is committed to making this work. He noted it is Council's decision as to what is best for the City.

MOTION was made by Councilmember White, seconded by Councilmember Scott, to pass Draft Resolution 08-163 setting a public hearing date on January 15, 2009, to consider Draft Ordinance No. 08-163 which would create a new Chapter in Title 3 of the DMMC providing tax exemptions as an incentive to facilitate the development of market rate multiple-unit dwellings in the City of Des Moines.

Councilmember Kaplan requested 30 minutes be dedicated on October 30, 2008, to consider changes to the draft ordinance. In the meantime Councilmembers should submit issues for consideration and circulate them in advance, in order to make any changes to the ordinance for consideration in January.

VOTE ON MOTION: Motion passed 6 to 1 with Mayor Pro Tem Sherman opposed.

Budget Balancing Strategies

Finance Director Henderson called Council's attention to the General and Street Funds Recap for the 2009 preliminary budget provided in Council's packets, noting a $2.8 million budget shortfall. She advised this shortfall is caused by no growth in revenues, labor contracts with increases in salaries growing 12%, premium on Regence Blue Shield Medical went up 8.2% and no benefit from the Streamlined Sales Tax. She also pointed out that expenditures increased by 10.8%.

City Manager Piasecki also noted an additional impact was from the failure of the Des Moines Creek Business Park to move forward.

Councilmember Kaplan noted while he is willing to look at cost cutting ideas, he will not support a freeze on the hiring of the 3 general fund police officer positions as the City made a commitment to the public in asking for the Levy Lid Lift funds to bring our police department staffing back to 1999 levels. However, he felt the Police should cut expenditures for equipment for the balance of this year and next.

Mayor Pro Tem Sherman agreed with not freezing the 3 general fund police officers and feels the City should honor its commitment to Mt. Rainier Pool funding. He also spoke against adding a utility tax onto SWM.
At this point Mayor Sheckler suggested Councilmembers take line by line making decisions where the feeling is unanimous, total the results to see where we stand and go back, if necessary, making further reductions. This was agreeable with Council.

Councilmember Thomasson felt Council needs to see the complete picture to make good decisions such as how many actual employees are in each department and exactly what their positions are.

City Manager Piasecki explained what he wants to know tonight is whether Council is willing to defer certain types of expenditures next year such as equipment rental and computer equipment replacement. He felt it is clear that Council does not want to freeze police. He also needs to know if Council wants to consider any new revenues, including those that need voter approval.

Consensus was reached on the following items:
Budget Balancing Strategies:
- Defer Equipment Rental Replacement Assessments - Yes
- Defer Computer Equipment Replacement Assessments - Yes
- Suspend Funding - Police Officer on Military Leave - Yes (position vacant, but will not be funded)
- Freeze Hiring - 3 Police Vacancies General Fund - No
- Defer Facility Repair & Replacement Assessments - Yes
- Mt. Rainier Pool Subsidy Termination December 31,2008 - ?50%
- Savings from Change in Officers funded by Levy Lid Lift Fund - Yes

New Revenues:
- Decision was to delay until cuts have been determined.

10:28 p.m. **MOTION** was made by Councilmember Scott, seconded by Councilmember Kaplan, to extend the meeting 15 minutes. Motion passed 6 to 1 with Councilmember White opposed.

Expenditure Cuts:
- Federal Lobbyist - Yes
- Staff Reduction Municipal Court (.5 Court Clerk) - No
- Staff Reduction: Finance (0.80 Sr. Finance Analyst) - No
- Record Services (External Service for Council Minutes) - Yes
- Staff Reduction: Record Services (Business License Clerk/Receptionist) - No
- Staff Reduction: Legal DV Advocate (Cut .5 Position) - No
- Staff Reduction: Personnel (Human Resource Specialist) - Yes
- PBPW All City Buildings: Supplies - Yes
- PBPW Admin: Supplies $800; other services $300; overtime $600 - Yes
- PBPW Engineering Services: Professional Service Contracts $15,000, overtime $3,000, other services-advertising $1,300, Misc. $400 & Supplies $1,100 - Yes
- Staff Reduction: PBPW Engr Services (Transportation Engr. Tech) - No

In regards to the Police staffing issue regarding the Levy Lid Lift, Councilmember Thomasson requested a legal opinion from the City Attorney as to what the law means by not supplanting and understand whether there is a legal issue or just a moral/ethical issue.

At 10:44 p.m. **MOTION** was made by Mayor Pro Tem Sherman, seconded by Councilmember Pina, to extend the meeting to 11 p.m.. Motion failed by 4 (yes) to 3 (opposed) vote, lack of super majority.

Pavement Management System - Briefing

MOTION was made by Mayor Pro Tem Sherman, seconded by Councilmember Pina and passed unanimously to move this item to the next available agenda to be determined by the Mayor and City Manager.

NEXT MEETING DATE

Mayor Sheckler noted the next regular meeting will be on October 16, 2008.

ADJOURNMENT

Meeting adjourned at 10:45 p.m. by meeting time expiring.

Respectfully submitted,

Denis Staab
City Clerk

ACTION ITEMS FOR 10/8/08

- Prepare an ordinance adopting the Washington Defender Association Standards for Public Defense Services for the delivery of public defense services as presently constituted or as later amended.
- In regards to the Police staffing issue regarding the Levy Lid Lift, provide a legal opinion from the City Attorney as to what the law means by not supplanting and understand whether there is a legal issue or just a moral/ethical issue.

CONSENT CALENDAR
Item #3

AGENDA ITEM

BUSINESS OF THE CITY COUNCIL
City of Des Moines, WA

SUBJECT:
1. Interlocal Agreement for Tourism and Marketing Services between City of Tukwila and City of Des Moines

ATTACHMENTS:
A. Draft Interlocal Agreement

FOR AGENDA OF: October 30, 2008

DEPT. OF ORIGIN: Parks, Recreation & Senior Services

DATE SUBMITTED: October 21, 2008

CLEARANCES:
[x] Park & Recreation Director
[x] City Attorney
[x] Finance Director

APPROVED BY CITY MANAGER FOR SUBMITTAL:

Purpose and Recommendation:
The purpose of this agenda item is to request City Council approval to enter into an Interlocal Agreement with the City of Tukwila designated as the Administrator responsible for administering Interlocal Agreements with the Cities of Des Moines, SeaTac, and Kent to provide tourism and marketing services under the program name Seattle Southside Visitor Services ("SSVS"). The Agreement commits 100% of Hotel-Motel Tax revenues collected in 2009 for this purpose.

Proposed Motion: "To approve the Interlocal Agreement between the City of Des Moines and the City of Tukwila for the provision of professional tourism and marketing services administered by the City of Tukwila under the program name Seattle Southside Visitor Services ("SSVS"), and authorize the City Manager to sign the agreement, substantially in the form as submitted."

Policy:
In accordance with the Interlocal Cooperation Act, Chapter 39.34 of the Revised Code of Washington, the City of Des Moines has authority to enter into an agreement with the City of Tukwila for tourism and marketing services.

Background:
The City of Des Moines adopted Ordinance 1319 for the purpose of establishing a Lodging Tax Advisory Committee. The five member City Council appointed Committee is required by law for the collection of Des Moines' legal share of Hotel/Motel Tax. Any proposal to impose a new hotel-motel tax, raise the rate of an existing tax, repeal an exemption from the hotel-motel tax, or change the use of the tax proceeds, must be submitted to the lodging tax advisory committee for a 45 day period for review and comment. After a 45 day review/consultation period with the

Lodging Tax Advisory Committee, final decision and action on matters of Lodging Tax collection and the expenditures of resources is made by City Council.

In 2005, the Des Moines Lodging Tax Advisory Committee recommended to City Council that 100% of the City's Hotel- Motel Tax funds collected during 2005-2008 be dedicated to fund Seattle Southside Visitor Services for the purpose of providing Des Moines with destination marketing services. The Des Moines City Council approved this Committee's recommendation and entered into a three year Interlocal Agreement (ILA) with the City of Tukwila for the provision of Seattle Southside Visitor Services.

Des Moines Lodging Tax Advisory Committee membership includes: one member of City Council serving as the chair of the committee, two members representing businesses that are required to collect the tax, and two members representing activities that are authorized to be funded by revenue received under RCW 67.28.180.

Current Lodging Tax Advisory Committee Members:
City Council Appointment: Susan White
Lodging Industry Appointments:
Tajinder Chahal- General Manager, SeaTac Valu Inn
Jane Ipsen- CEO, Landmark On The Sound
Tourism Industry Appointments:
Dianne Jacobson, President, Destination Des Moines
Max Fields, Former Des Moines Chamber of Commerce Member

<u>Discussion:</u>

The proposed 2009 ILA would not change the recommended use of Des Moines Lodging Tax funds, but it would extend that use of funds into 2009 with an option to renew the agreement on an annual basis for future years as part of the City's budget process.

In 2005, the Des Moines Lodging Tax Advisory Committee recommended that Des Moines engage in tourism marketing services along with our neighboring cities by entering into an Interlocal Agreement with Tukwila for the provision of Seattle Southside Visitor Services to increase tourism business income and related tax revenues in order to sustain a robust economy while enhancing community values.

This new Agreement proposes that for 2009, the City of Des Moines would continue to pay 100% of its Hotel- Motel Tax revenues collected in 2009 to SSVS as Des Moines' contribution to destination marketing services as identified in the Agreement.

Due to the small amount of funds collected for Lodging Tax in Des Moines, the City contributes about 2% of the current SSVS budget and much less than the contributions paid by the SSVS partnership cities of Tukwila, SeaTac and Kent, whose payments range from $100,000 to $365,000 annually.

Because Des Moines will receive all of the benefits of the program for less than 2% of the total cost of the program, some businesses (but not hotels, major City venues or major tourist attractions) may be required to pay a small fee for marketing strategies in which they choose to participate.

2007-08 Seattle Southside Highlights and Accomplishments:

- Seattle Southside supported Des Moines' tourism and marketing efforts with a strong presence on the SSVS web site and with paid advertising support for events such as: Fireworks Over Des Moines, Farmers Market, Tall Ships Water Taxi, Poverty Bay Wine Festival, Classic Car and Boat Show and more
- www.seattlesouthside.com web site visits increased 50% in 2007 with a total of 268,255 unduplicated visits, up from 179,101 in 2006
- Public Relations Coverage doubled for an equivalent advertising value of $60,015.06 and a circulation of more than 8.73 million in various media such as Seattle Times, Meetings West, Rachael Ray show and more
- 35 new groups were booked for a total of 9,779 room nights drawing sports teams, associations, family reunions and other groups to our community utilizing our sports fields, community centers and waterfront and purchasing goods and services
- Seattle Southside launched its Vacation Planner which included City of Des Moines destination information with 130,963 copies distributed and created a new Meeting Planners Guide which is available in print and on line. These planning tools feature Des Moines' rental facilities and have resulted in group rentals at city facilities
- SSVS provides Des Moines motels and tourism businesses with on-line booking options and free networking and educational opportunities to assist them promote their businesses to put heads in motel beds and seats in restaurant chairs

2009 Support for Des Moines 50th Birthday:

- Seattle Southside has agreed to support Des Moines' 50th Birthday by providing marketing and public relations support for the planned events and activities. SSVS staff will attend 50th Birthday Steering Committee meetings to provide advice and promote the City's events to visitors of Seattle Southside. These award winning services are currently being provided for the City of Tukwila's 100th Birthday

Financial Impact:
City Council passed legislation to establish the tax which is collected of lodging industry customers in December 2004 and the tax went into effect in 2005 (1% increase). The tax must be used solely for paying for tourism promotion and for the acquisition and/or operation of city owned tourism related facilities as specified in RCW 67.28.180. Based on past tax performance, the City of Des Moines anticipates the collection of about $20,000 in 2009 through this revenue source. Des Moines would continue to pay Seattle Southside 100% of its Hotel-Motel Tax funds collected quarterly in 2009 to support ongoing visitor services as specified in the Interlocal Agreement.

Recommendation/Conclusion:
The City of Des Moines Lodging Tax Advisory Committee recommended and City Council approved the expenditure of 2005-2008 Hotel-Motel Tax revenues for the purpose of tourism marketing. The proposed 2009 ILA is a continuation of that recommendation.

Concurrence:
At their meeting on October 17, 2008, the Des Moines Lodging Tax Advisory Committee reaffirmed their recommendation to City Council to commit 100% of the City's Hotel-Motel Tax revenues for tourism and marketing services provided by Seattle Southside Visitor Services.

INTERLOCAL AGREEMENT
FOR
TOURISM AND MARKETING SERVICES
BETWEEN CITY OF TUKWILA AND CITY OF DES MOINES

THIS INTERLOCAL AGREEMENT ("Agreement") is made and entered into pursuant to the Interlocal Cooperation Act, Chapter 39.34 of the Revised Code of Washington, by and between the City of Tukwila, a municipal corporation, hereinafter called "Tukwila" and the City of Des Moines, a municipal corporation, hereinafter called "Des Moines".

RECITALS

WHEREAS, Des Moines desires to acquire professional tourism and marketing services for the purpose of increasing awareness of Des Moines and the surrounding areas as a tourist destination; and

WHEREAS, Tukwila is designated as the Administrator responsible for administering Interlocal Agreements with the Cities of Des Moines, SeaTac, and Kent to provide tourism and marketing services under the program name Seattle Southside Visitor Services ("SSVS");

WHEREAS, it is in the best interests of the citizens of Des Moines to continue its participation in the SSVS program;

NOW THEREFORE, in consideration of the mutual covenants contained in this agreement, the parties agree as follows:

AGREEMENT

1. Purpose. The purpose of this Agreement is to continue to include Des Moines in SSVS's tourism and marketing program, as administered by Tukwila, to promote tourism in Des Moines.

2. Scope of Services. The City of Tukwila and SSVS agrees to provide the following tourism and marketing services to Des Moines:

a) Incorporate Des Moines's tourism businesses into the existing SSVS Tourism Networking Committee for the purposes of creating awareness, support and participation in SSVS's various marketing activities;

b) Facilitate input from Des Moines's tourism businesses for the purposes of developing, implementing and evaluating annual marketing strategies;

c) Attend Des Moines's Lodging Tax Advisory Committee meetings;

d) Submit quarterly reports to Des Moines's Lodging Tax Advisory Committee regarding marketing budget information, implementation schedules, and marketing strategies;

e) Implement annual marketing and media plans incorporating Des Moines's tourism businesses;

f) Incorporate Des Moines hotels, major tourist attractions and Des Moines sponsored events and venues into SSVS's vacation planner, website, coupon book and restaurant concierge book. Shopping destinations, restaurants, tourist attractions, and other tourism businesses located in Des Moines will be offered the opportunity to be included in these materials for a fee;

g) Create and distribute tourism materials, including but not limited to those identified in subsection "f" above, regarding Des Moines related tourism businesses; and

h) Provide Annual Economic Impact Report as required under SBH 3206, chapter 28, laws of 2008, to the City of Des Moines each year until this Section expires in 2013 no later than April 1 for submittal to the State of Washington Department of Community, Trade and Economic Development, no later than May 1 of each calendar year.

The scope of services described above may be increased or decreased from time to time by mutual written agreement by this Agreement's Administrators. The scope of services shall not include implementation of Des Moines's specific tourism projects. At such time as Des Moines and SVSS mutually agree, SSVS may advise or assist Des Moines regarding Des Moines's specific projects.

3. Compensation. As its proportionate share of SSVS' program, Des Moines will contribute 100% of its Hotel-Motel Tax revenue for so long as this agreement remains in effect, for the services provided for by this Agreement. SSVS shall invoice Des Moines monthly.

4. Term. The term of this Agreement shall be for one year commencing on January 1, 2009. Unless written notice of non-renewal is given by either party 120 days before the end of the term, this Agreement shall automatically renew for one-year terms until terminated as set forth below.

5. Records. SSVS, as administered by Tukwila, shall maintain or cause to be maintained books of accounts concerning the total operation of this Agreement, in which books shall be entered, fully and accurately, each transaction pertaining to this Agreement. All the books will be open during normal business hours for inspection and examination by Des Moines.

6. Termination. Tukwila or Des Moines may terminate this Agreement in writing with 120 days written notice. The terminating party shall be liable for its share of financial obligations entered into on its behalf prior to termination including but not limited to printing costs and media buys.

7. Ownership. SSVS shall maintain ownership of all property acquired pursuant to this Agreement.

8. Amendment. This Agreement may be amended or modified in writing at any time with the mutual consent of both parties.

9. Hold Harmless. Tukwila and Des Moines agree that each party shall defend, indemnify, and hold harmless the other party and its officers, officials, agents employees, and volunteers from any and all claims, injuries, actions, damages, losses or suites including reasonable attorney's fees, which arise

out of or are connected with any errors, omissions or negligent acts in the performance of this Agreement.

10. Administrator. The Administrator listed below shall be responsible for and shall be the contact person for all communications regarding the performance of this Agreement.

CITY OF TUKWILA:

[Administrator] ____________________
[Address] ____________________
____

CITY OF DES MOINES:

Patrice Thorell, Park & Recreation Director
1000 So. 220th St.
Des Moines, WA 98198

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed.

CITY OF TUKWILA

____
____________________Mayor

Dated:____________________

Attest:

____
City Clerk

Approved as to Form:

____
Assistant City Attorney

CITY OF DES MOINES

____
____________________City Manager
As Approved by the Des Moines City Council in Open Public Meeting on________.
Dated:____________________

Attest:

____
City Clerk

Approved as to Form:

____
Assistant City Attorney

With a Copy to: Katherine Kertzman, Tourism & Marketing Program Manager
Seattle Southside Visitor Services
14220 Interurban Ave. S. #130
Seattle, WA 98168

City of Des Moines
Dues, Schools & Conferences
From January to October 30, 2008

LEGISLATIVE

Date	Name	Description	Location	Conferences	Dues	Total	Budget
01/30-31/2008	Susan White	City Legislative Action Conference	Olympia, WA	$ 120.00			
01/30-31/2008	Ed Pina	City Legislative Action Conference	Olympia, WA	$ 120.00			
06/17-20/2008	Susan White	AWC Annual Conference	Yakima, WA	$ 185.00			
11/11-15/2008	Bob Sheckler	Natl League of Cities Annual Conf	Orlando, FL	$ 500.00			
04/30-5/01/2008	Susan White	Planning Association of WA	Chelan,WA	$ 180.00			
10/29/2008	Susan White	AWC Regional Meeting	Tukwila, WA	$ 40.00			
10/29/2008	Dan Sherman	AWC Regional Meeting	Tukwila, WA	$ 40.00			
				$ 1,185.00	**$ -**	**$ 1,185.00**	**$ 2,500.00**

COURT

Date	Name	Description	Location	Conferences	Dues	Total	Budget
01/27-021/2008	Judge	Judicial Conference		$ 155.00			
03/19-21/2008	Carol O'Connor	Court Staff Conference	Yakima, WA	$ 100.00			
02/27-29/2008	Jennefer Henson	Managing Technology & Tech Resources	Spokane, WA	$ 50.00			
06/01-04/2008	Judge	District & Muni Court Judges' Spring Prog	Unknown	$ 180.00			
06/17-20/2008	Judge	Facility Development Program	Olympia, WA	$ 28.00			
10/05-08/2008	Judge	WA Judicial Conference	Spokane, WA	$ 150.00			
10/26-29/2008	Jennefer Henson	District & Muni Court Assoc Fall Prog	Great Wolf Lodge	$ 260.00			
10/26-29/2008	Pamela McConville	District & Muni Court Assoc Fall Prog	Great Wolf Lodge	$ 260.00			
09/2008	Jennefer Henson	Fundamental Issues of Caseflow Mgmt	Portland, OR	$ 845.00			
09/2008	Jennefer Henson	Managing Human Resources	Portland, OR	$ 845.00			
	M. Coelho	AOC		$ 75.00			
		Conference Cancellation fee		$ 50.00			
	Judge	District & Muni Court Judges' Assoc			$ 750.00		
	Judge	WA State Bar Assoc			$ 422.00		
	Court Administrator	Costco Membership Dues			$ 40.00		
	Court Administrator & Lead Court Clerk	District & Muni Court Mgmt Assoc			$ 200.00		
	Court Administrator & Lead Court Clerk	NACM Membership			$ 250.00		
				$ 2,998.00	**$ 1,662.00**	**$ 4,660.00**	**$ 1,950.00**

EXECUTIVE

Date	Name	Description	Location	Conferences	Dues	Total	Budget
04/09/2008	Susan Bowman	Online Newsletter Workshop		$ 175.00			
08/19-20/2008	Tony Piasecki	WCMA Summer Conference	Winthrop, WA	$ 285.00			
10/29/2008	Tony Piasecki	AWC Regional Meeting	Tukwila, WA	$ 40.00			
10/29/2008	Lorri Ericson	AWC Regional Meeting	Tukwila, WA	$ 40.00			
	City Manager	National Main Street Network			$ 250.00		
	City Manager & Asst City Manage	Intl City/County Mgmt Assoc			$ 1,829.60		
	City Manager & Asst City Manage	WA City/County Mgmt Assoc			$ 203.42		
				$ 540.00	**$ 2,283.02**	**$ 2,823.02**	**$ 2,895.00**

City of Des Moines
Dues, Schools & Conferences
From January to October 30, 2008

FINANCE

Date	Name	Description	Location	Conferences	Dues	Total	Budget
04/21-22/2008	Paula Henderson	Govt Acctg & Auditing	Lakewood, WA	$ 305.00			
05/16/2008	Paula Henderson	WA State Tax Conference	Seatac, WA	$ 205.00			
06/09/2008	Cecilia Pollock	CAFR Preparation Training	Bellevue, WA	$ 250.00			
04/30/2008	Cecilia Pollock	BARS Manual Training	Bellevue, WA	$ 50.00			
04/30/2008	Cara Zemanek	BARS Manual Training	Bellevue, WA	$ 50.00			
05/08/2008	Henderson/Pollock/Zemanek	EDEN User Grp Meeting	Renton, WA	$ 240.00			
	Finance Director	GFOA			$ 215.00		
	Finance Director	WFOA			$ 50.00		
	Finance Director	Assoc of Govt Accountants			$ 65.00		
	Finance Director	WSCPA			$ 205.00		
	Finance Director	AICPA			$ 200.00		
		Costco Membership upgrade			$ 20.83		
				$ 1,100.00	**$ 755.83**	**$ 1,855.83**	**$ 4,900.00**

RECORD SERVICES

Date	Name	Description	Location	Conferences	Dues	Total	Budget
03/13/2008	A. Lingle	City Clerk Workshop		$ 50.00			
	D. Staab	KC Mun Clerks Assn			$ 25.00		
	D. Staab	Intl Institute of Mun Clerks			$ 150.00		
	D. Staab	WA Mun Clerks			$ 75.00		
				$ 50.00	**$ 250.00**	**$ 300.00**	**$ 610.00**

LEGAL

Date	Name	Description	Location	Conferences	Dues	Total	Budget
4/30-5/2/2008	Pat Bosmans	WSAMA Spring Conference	Whistler, Canada	$ 195.00			
4/30-5/2/2008	Tim George	WSAMA Spring Conference	Whistler, Canada	$ 155.00			
4/30-5/2/2008	Vicki Shecler	WSAMA Spring Conference	Whistler, Canada	$ 155.00			
05/28-30/2008	Tim George	District Court Training	Leavenworth, WA	$ 75.00			
10/15-17/2008	Pat Bosmans	WSAMA Fall Conference	Suncadia Resort	$ 230.00			
10/15-17/2008	S. Mahoney	WSAMA Fall Conference	Suncadia Resort	$ 280.00			
	City Attorney	WSBA License			$ 422.00		
	Asst City Attorney	WSBA License			$ 422.00		
				$ 1,090.00	**$ 844.00**	**$ 1,934.00**	**$ 2,800.00**

City of Des Moines
Dues, Schools & Conferences
From January to October 30, 2008

PERSONNEL SERVICES

Date	Name	Description	Location	Conferences	Dues	Total	Budget
	City Staff Attendees	Grammar Workshop	Highline CC	$ 945.00			
	City Staff Attendees	Power Point Workshop	Highline CC	$ 378.00			
	City Staff Attendees	Presentation Skills	Highline CC	$ 318.00			
	City Staff Attendees	Construction Workshop	Highline CC	$ 495.00			
	City Staff Attendees	Excel Workshop	Highline CC	$ 745.00			
	City Staff Attendees	Spanish Course	Highline CC	$ 868.00			
	Human Resources Specialist	UW Evans School Public Admin	-	$ 3,300.00			
06/19/2008	Human Resources Specialist	WAPELRA	Federal Way, WA	$ 75.00			
	City Staff Attendees	Word-Outlook	Highline CC	$ 577.00			
06/28/2008	Human Resources Specialist	Effective Communication	Highline CC	$ 99.00			
	Human Resources Specialist	WAPELRA			$ 200.00		
				$ 7,800.00	**$ 200.00**	**$ 8,000.00**	**$ 1,950.00**

LAW ENFORCEMENT- Admin

Date	Name	Description	Location	Conferences	Dues	Total	Budget
11/26-30/2007	Bob Collins	Internal Affairs	Las Vegas, NV	$ 575.00			
02/26/2008	Patti Harris	Street Survival	Las Vegas, NV	$ 179.10			
03/12/2008	J. Clark	How to Communicate Effectively w/ People	Seattle, WA	$ 178.35			
03/18/2008	Chaplain Cox	Gang Prevention	Unknown	$ 200.00			
04/13-17/2008	J.O'Leary	Intelligence Training	Yakima, WA	$ 150.00			
05/22-23/2008	Patti Harris	Grantwriting	Olympia, WA	$ 425.00			
Unknown	R. Baker/ P. Harris/ B. Collins	Intelligence Training	Unknown	$ 600.00			
5/5-9/2008	D. Darrow	Law Enforcement Records	Burien, WA	$ 75.00			
Unknown	Chaplain Cox	Unknown	Unknown	$ 125.00			
09/22/2008	J.O'Leary	WSCJTC	Burien, WA	$ 169.00			
Unknown	Patti Harris	Managing Intellectual Property	Unknown	$ 275.00			
Unknown	R. Baker	FBI NAA	Unknown	$ 220.00			
	Chief & 2 Commanders	FBI Natl Academy Assoc			$ 241.00		
	Patti Harris	Secure Internet Commerce			$ 120.00		
	Chief & Commander Tucker	WA Assn of Sheriffs & Chiefs			$ 380.00		
	Chief	Police Futurists			$ 45.00		
	Office Manager , 4 Record Specialists & Admin Sergeant	Digital Certificates for DOL Driver & Plate Search (6)			$ 108.80		
	Commander Tucker & Office Mar	Costco Membership			$ 90.00		
	Office Manager	L.E.I.R.A. Membership			$ 40.00		
	Commander Tucker	IACP			$ 120.00		
				$ 3,171.45	**$ 1,144.80**	**$ 4,316.25**	**$ 4,500.00**

City of Des Moines
Dues, Schools & Conferences
From January to October 30, 2008

LAW ENFORCEMENT- Detective

Date	Name	Description	Location	Conferences	Dues	Total	Budget
09/10-11/2008	Stuth/Bumpus	Elder Abuse Conference	Bellevue, WA	$ 200.00			
	Evidence Tech	Digital Certif for DOL Driver & Plate Search			$ 21.76		
	Evidence Tech	IAPE			$ 50.00		
				$ 200.00	**$ 71.76**	**$ 271.76**	**$ 3,000.00**

LAW ENFORCEMENT- Patrol

Date	Name	Description	Location	Conferences	Dues	Total	Budget
01/14-18/2008	Mohr/Sellers	Leadership Class	Unknown	$ 990.00			
03/12/2008	D. Arico	Strategies in Defending DUI & DWI Cases	Seattle, WA	$ 349.00			
02/03-08/2008	Gallagher/Shepard/Guest/Penney	MP5 & M4/M16	Burien, WA	$ 2,800.00			
02/06/2008	S. Wieland	Terror at Beslan	Unknown	$ 94.00			
02/11/2008	Gendreau/Graddon/Guest/Montgomery/Penny/Wieland	Virginia Tech Terror Training	Unknown	$ 564.00			
02/25-29/2008	Guest/O'Flaherty	PTO Academy	Richland, WA	$ 120.00			
03/07/2008	Gallagher/Haglund/Bell	Specialized Armament	Unknown	$ 2,400.00			
03/18/2008	Wieland/Arico	Gang Prevention	Unknown	$ 600.00			
04/13-17/2008	B. Bohl	Intelligence Training	Yakima, WA	$ 150.00			
04/28/2008	Arico/Guest	Defense Tech-Special Ammunitions	Unknown	$ 1,790.00			
05/01-04/2008	Crane/Ochart	NAMOA Conference	Vancouver B.C.	$ 350.00			
05/06-07/2008	Sellers/Shields	Collision Investigation Solution	Unknown	$ 590.00			
05/09-12/2008	Wieland	NWGIA Gang	Spokane, WA	$ 100.00			
05/31/2008	Unknown	Public Safety Volunteer	Unknown	$ 350.00			
05/31/2008	P. Young/D. Bell	Unknown	Unknown	$ 400.00			
05/13/2008	Wieland	Code 4 Public Safety	Unknown	$ 94.00			
06/17/2008	Gendreau	Bulletproof Mind Training	Unknown	$ 94.00			
06/	O'Flaherty	NASRO Conf Regis/SRO Class Course	Phoenix,AZ	$ 920.00			
06/24-27/2008	Haglund/Bell/Gendreau	Glock Training	Unknown	$ 1,500.00			
06/27-29/2008	K. Penney	Intensive Handgun Skill II	Unknown	$ 550.00			
Unknown	Unknown	Unknown	Unknown	$ 1,475.00			
07/21-24/2008	O'Flaherty	School Safety Training Summit	Kennewick, WA	$ 225.00			
09/22/2008	Mohr/Sellers	WSCJTC	Burien, WA	$ 338.00			
10/06-08/2008	M. Henry	Police Society for Problem Based Learning	Unknown	$ 299.00			
Unknown	Chaplain Cox	Unknown	Unknown	$ 130.00			
	SRO Officer	NASRO Membership			$ 40.00		
				$ 17,272.00	**$ 40.00**	**$ 17,312.00**	**$ 15,500.00**

City of Des Moines
Dues, Schools & Conferences
From January to October 30, 2008

LAW ENFORCEMENT- Crime Free Housing

Date	Name	Description	Location	Conferences	Dues	Total	Budget
04/21-23/2008	T. Seaberry	Crime Prevention Training	Unknown	$ 211.66			
04/04/2008	N. Uhrich	Code Enforcement Spring Conf	Snoqualmie, WA	$ 45.00			
	CSO Seaberry	WSCPA Membership			$ 50.00		
				$ 256.66	**$ 50.00**	**$ 306.66**	**$ 500.00**

LAW ENFORCEMENT- Animal Control

Date	Name	Description	Location	Conferences	Dues	Total	Budget
04/28-29-/2008	J. Magnuson	CISM-Basic	Medford, OR	$ 135.00			
08/13/2008	J. Magnuson	Emotional Survival Training		$ 94.00			
	Animal Control Officer	Drug Animal Control/Humane Society			$ 40.00		
	Animal Control Officer	WSCPA Membership			$ 50.00		
				$ 229.00	**$ 90.00**	**$ 319.00**	**$ 500.00**

PBPW Admin

Date	Name	Description	Location	Conferences	Dues	Total	Budget
02/20/2008	Grant Fredricks	Engaging Citizens in Govt Performance	Tacoma, WA	$ 150.00			
04/04/2008	N. Uhrich	Code Enforcement Spring Conf	Snoqualmie, WA	$ 45.00			
05/01/2008	S. Romano	Small Works & Consultant Roster Wrkshp	Unknown	$ 100.00			
	Fredricks	SC Area Transportation Board			$ 50.00		
	Fredricks	CEAW			$ 50.00		
				$ 295.00	**$ 100.00**	**$ 395.00**	**$ 500.00**

PBPW Engineering

Date	Name	Description	Location	Conferences	Dues	Total	Budget
02/25/2008	K. Thomas/Swartz	ITE Meeting	Unknown	$ 105.00			
4/30-5/2/2008	Dan Brewer	APWA Spring Conf	Mesquite, NV	$ 400.00			
06/09/2008	Carver/Thomas	ITE Annual Conf	Tacoma, WA	$ 190.00			
10/14-17/2008	Dan Brewer	APWA Fall Conf	Walla Walla,WA	$ 400.00			
10/21/2008	Brewer/Carver/Swartz	ITE Meeting	Seattle, WA	$ 160.00			
	Brewer	CEAW			$ 20.00		
	Brewer	APW			$ 143.00		
	Thomas/Swartz	ITE			$ 40.00		
	Carver	Transportation Prof Cert Board			$ 275.00		
				$ 1,255.00	**$ 478.00**	**$ 1,733.00**	**$ 5,200.00**

City of Des Moines
Dues, Schools & Conferences
From January to October 30, 2008

BUILDING DIVISION

Date	Attendees	Description	Location	Conferences	Dues	Total	Budget
01/25/2008	Tiffany Anderson	WA Assoc of Bldg Officials	Unknown	$ 125.00			
01/25/2008	Dave Shivvers	WA Assoc of Bldg Officials	Unknown	$ 375.00			
01/25/2008	R Armstrong	WA Assoc of Bldg Officials	Unknown	$ 250.00			
01/25/2008	Dave Huson	WA Assoc of Bldg Officials	Unknown	$ 250.00			
01/25/2008	Larry Pickard	WA Assoc of Bldg Officials	Unknown	$ 250.00			
01/25/2008	Kim Powell	WA Assoc of Bldg Officials	Unknown	$ 125.00			
01/25/2008	Rex Christensen	WA Assoc of Bldg Officials	Unknown	$ 250.00			
02/13/2008	Larry Pickard	AHERA Bldg Response refresher course	Unknown	$ 150.00			
04/11/2008	Kim Powell	MS Outlook	Highline CC	$ 129.00			
04/17-18/2008	Tiffany Anderson	WSAPT Spring Conf	Ocean Shores, WA	$ 150.00			
04/23/2008	Kim Powell	A.N.S Seminar	Unknown	$ 110.00			
05/13/2008	Rex Christensen	Energy Code Training	Bremerton, WA	$ 20.00			
06/06/2008	B. Wagner	WSAPT Summer Conf	Lacey, WA	$ 40.00			
Unknown	Larry Pickard	ICC Conference	Minneapolis, MN	$ 485.00			
09-14-18/2008	R Armstrong	IAEI Annual Conf	Portland, OR	$ 329.00			
11/08/2008	Larry Pickard	WSPMA Workshop	Olympia, WA	$ 155.00			
11/05-06/2008	Rex Christensen	Fall Electrical Training	Olympia, WA	$ 50.00			
	Building Official	WABO Membership fee			$ 75.00		
	Building Official & Asst Bldg Offic	Intl Code Council			$ 245.00		
	Building Official	Plumbing License			$ 75.00		
	Permit Coordinator & 2 Permit Te	WA State Assoc of Permit Tech			$ 105.00		
	Rex Christensen	I A E I			$ 90.00		
	3 Bldg Inspectors	Exam Certification fees			$ 855.00		
	2 Permit Technicians	Exam Certification fees			419		
				$ 3,243.00	**$ 1,864.00**	**$ 5,107.00**	**$ 7,000.00**

PLAN DEVELOPMENT

Date	Name	Description	Location	Conferences	Dues	Total	Budget
05/13-15/2008	D. Lathrop	Downtown Revitalization	Unknown	$ 125.00			
09/10-12/2008	D. Lathrop	Urban Waterfront Revitalization	Bremerton,WA	$ 257.24			
	Planning Manager	APA			$ 410.00		
				$ 382.24	**$ 410.00**	**$ 792.24**	**$ 1,800.00**

DEVELOPMENT SERVICES

Date	Name	Description	Location	Conferences	Dues	Total	Budget
Unknown		GIS Workshop	Auburn, WA	$ 195.00			
08/26/2008	J. Sullivan	SEPA Training	Tacoma, WA	$ 379.00			
09-23-24/2008	R. Ruth	WRIA 9 Nearshore Workshop	Normandy Park, WA	$ 30.00			
	Development Serv Mgr	APA			$ 385.00		
				$ 604.00	**$ 385.00**	**$ 989.00**	**$ 700.00**

City of Des Moines
Dues, Schools & Conferences
From January to October 30, 2008

PARKS & REC ADMIN

Date	Name	Description	Location	Conferences	Dues	Total	Budget
	Parks & Rec Director	WRPA			$ 1,134.00		
	Parks & Rec Director	Washington Wildlife & Recreation Coalition			$ 250.00		
	Parks & Rec Director	Washington Festivals & Events			$ 125.00		
	Parks & Rec Director	American Society of Composers, Authors & Publishers			$ 306.32		
				$ -	**$ 1,815.32**	**$ 1,815.32**	**$ 1,100.00**
				$ 41,671.35	**$ 12,443.73**	**$ 54,115.08**	**$ 57,905.00**

GENERAL & STREET FUNDS RECAP
2009 Preliminary Budget

	Original Strategy	FTEs	2009 BASE	2009 City Mgr Recom-mendations	2009 ONE-TIME	TOTAL	IMPACTS
Revenues			$ 16,680,061	$ 16,680,061	$ 298,386	$ 16,978,447	Removed one-time revenues for the Des Moines Creek Business Park/Oct 15 Revisions to Bldg & Dev Svcs Revenue Estimates
Expenditures (One-Time Dev Svcs Non-Core Costs)			19,260,932	19,260,932	488,990	19,749,922	Removed Len Madsen's Prof Svcs Contract from Engr Svcs - $52.000/Correct Plan Development Salary Upgrade $4,864/Corrected Judge's Salary to StepD
Excess (Deficit)			**$ (2,580,871)**	**$ (2,580,871)**	**$ (190,604)**	**$ (2,771,475)**	
Budget Balancing Strategies:							
Defer Equipment Rental Replacement Assessments				343,309		343,309	Defer replacement of all vehicles and equipment and freeze purchases except for Marina and SWM.
Defer Computer Equipment Replacement Assessments				168,594		168,594	Fund $20,000 only in the Computer Equipment Replacement Fund - use reserves.
~~Freeze Hiring - 3 Police Vacancies General Fund~~ (Eliminate 3.5 Police Department FTEs/Total Department FTEs = 60)				284,636		284,636	~~Hiring for 3 General Fund Officer positions frozen for 2009~~/City Council approves total Police Staffing of 60 FTEs.
~~Suspend Funding - Police Officer on Military Leave~~/Fund Position for 4 Months.				56,023		56,023	~~Funding of position suspended until return from military leave with budget amendment.~~ Fund Position for 4 months.
Defer Facility Repair & Replacement Assessments	72,207			-		-	Defer building maintenance.
Mt. Rainier Pool Subsidy Termination June 30, 2008/Revised to December 31, 2009	27,374			-		-	Closure will cause impact to pool users until new pool is built/Revise to keep open for six months.
Savings from Change in Officers funded by Levy Lid Lift Fund				202,055		202,055	Replace newly hired officers with officers assigned to Crime Task Force.
Savings in reduction of Fuel Prices				18,925		18,925	2009 Budget included estimate of $3.90 per gallon/revise estimate to $3.50 per gallon.
Fuel Savings from Extra Battery Installation in Patrol Vehicles	15,000			25,000		25,000	Patrol vehicles are kept idling to maintain computers and not run down battery/extra battery allows vehicle to be turned off.
Two Sergeant's Pay Differential				16,681		16,681	Two Police Officers were promoted to Sergeants Jan 2007 with Pay differential to be paid by Levy Lid Lift Fund
Total Budget Balancing Strategies			**$ -**	**$ 1,115,223**	**$ -**	**$ 1,115,223**	
New Revenues:							
Increase ROW Fees				45,000		45,000	
Increase Street Vacation Fees				10,000		10,000	
Increase Civil Engineering Plan Review Fees				45,000		45,000	Increase rate of civil engineering plan review fees and require payment at time plans are submitted for review.
Increase Business License Registration Fees				32,295		32,295	Increase license registration fees from $25 to $75 for businesses located outside the City ($30,000) for 600 licenses, and increase home occupation licenses from $30 to $75 ($2,295 for 51 licenses)
Utility Tax on SWM Fees ($1,990,915)				120,000		120,000	
Proportional Distribution of Remaining Mt. Rainier Pool Funds	77,500				-	-	Assumption is that non-REET funds are available in ending fund balance of the Mt. Rainier Pool Fund.
Metropolitan Park District ($.50/$1,000 AV = $1,622,570 based on 2009 AV) (2010 revenues if passed by voters)						-	
Voter Approved Increase in Utility Taxes (1% - $562,583; 2% - $1,125,167)						-	
Port of Seattle Noise Mitigation Bldg Permit Revenues				-		-	Removed $100,000/$93,160 included in base.
Transportation Benefit District (23,000 vehicles @ $20/vehicle)				460,000		460,000	
Total New Revenues			**$ -**	**$ 712,295**	**$ -**	**$ 712,295**	

GENERAL & STREET FUNDS RECAP
2009 Preliminary Budget

	Original Strategy	FTEs	2009 BASE	2009 City Mgr Recom-mendations	2009 ONE-TIME	TOTAL	IMPACTS
Expenditure Cuts:							
Federal Lobbyist				67,000		67,000	The City would no longer have a presence in Washington D.C. to assist with any Federal Government funding requests.
Staff Reduction: Municipal Court (.5 Court Clerk)	42,649	0.5		-		-	Half time position eliminated. Increased overtime for remaining staff to make up for lost capacity.
Staff Reduction: Finance (0.80 Sr. Finance Analyst)	86,588	0.8		-		-	Delay in crime-free rental housing program actual accounting analysis for rental unit cost, CIP monitoring, and yearend operating and capital budget preparation.
Record Services (External Svc for City Council Mtg Minutes)				6,120		6,120	If Business License Clerk/Receptionist position is eliminated, this service will need to be restored.
Staff Reduction: Record Services (Business License Clerk/Receptionist)	61,507	1.0		-		-	Maintains business licenses database/provides backup to City Clerk. Suite A doors would close eliminating public assistance. Acceptance of business licenses applications, renewals and payments transferred to PBPW front counter.
Staff Reduction: Legal DV Advocate (Cut .5 Position)	26,794	0.5		-		-	In the 2008 budget we reduced the DV advocate from 32 hours to 20. This budget cut would completely eliminate DV services for victims.
Staff Reduction: Personnel (Human Resource Specialist)	80,728	1.0		30,000		30,000	Eliminate all non-essential personnel programs such as wellness, training, etc. Distribute some clerical and routine duties to other administrative staff. Majority of personnel duties reassigned to Assistant City Manager.
PBPW All City Buildings: Supplies				700		700	Building maintenance supplies to provide minimum facility maintenance would be reduced.
PBPW Admin: Supplies-$800; Other Services-$300; Overtime-$600				1,700		1,700	Eliminate all overtime work resulting in work that would no longer be able to be accomplished or expect delays in completing work.
PBPW Engineering Services: Professional Service Contracts - $15,000, Overtime - $3,000, Other Services - Advertising - $1,300, Misc - $400 & Supplies - $1,100 plus $5,400				26,200		26,200	More work would have to be done in-house if staff levels are maintained. Some traffic operations, safety and maintenance work would not get done and staff would not be able to contract for technical assistance in developing grant requests.
Staff Reduction: PBPW Engr Services (Transportation Engr Tech)	97,225	1.0		-		-	Elimination of the Transportation Engineering Technician would require that engineering technician duties be shifted to one of the civil engineers if a Transportation/Engineering Services cut is required. Considering City Streets Maintenance and Transportation /Engineering Services as an integrated transportation program, the following would be the priority of cuts in the combined program: 1st, Transportation Engineering Technician; 2nd, Streets Maintenance Worker.
Reimbursement from CIP - Transportation Engr Tech	(24,300)			-		-	Reimbursement for work provided by Transportation Engineering Technician on transportation capital projects.
Staff Reduction: PBPW Building Division (Front Counter Position)		1.0			65,198	65,198	Planning Aide (PA) moves out to front counter to provide coverage during 2009. PA supervision shared by Building & Development Services Managers. Public counter hours reduced from 8 to 4:30 to 9 to 4 and closed during lunch. Front Counter position refilled if development activities increase. If Business License Clerk position is eliminated, all business license transactions will have to be done by the City Clerk or by mail.
Staff Reduction: PBPW Building Division (Plans Examiner/Bldg Inspector)		1.0			83,794	83,794	Plans Examiner/Building Inspector laid off. Next day inspection standard would be curtailed with result that routine inspections might take up to 3 days. Building Code enforcement would be curtailed if not eliminated in all but the most serious life-safety situations. This plus at least one additional position would have to be added back in 2010 if projected workload materializes. 1 year training period lost.

GENERAL & STREET FUNDS RECAP
2009 Preliminary Budget

	Original Strategy	FTEs	2009 BASE	2009 City Mgr Recom-mendations	2009 ONE-TIME	TOTAL	IMPACTS
PBPW Building Division: Supplies-$1,600; Other Services-$1,600; Overtime-$18,400				21,600		21,600	Some inspections would be delayed.
PBPW Plan Development: Prof Services-$15,000; Overtime-$2,000; Other Services-$1,200; & Supplies-$700				18,900		18,900	Some specialized consultant support would not be available in economic development, specialized urban planning and public facilitation.
Staff Reduction: PBPW Plan Development (Planning Intern)	11,153	0.3		-		-	2009 work program reduced with impact to Downtown planning and completion of Zoning Code update.
PBPW Development Services: Supplies-$800; Other Services-$200; & Overtime-$2,000				3,000		3,000	Some staff would not be available to support City Council meetings, especially when agenda items are carried over because Council runs out of time during a meeting.
Staff Reduction: PBPW Park Operations (Seasonal Ball Field Crew)		0.1		10,000		10,000	Ball field use limited and/or less support provided.
PBPW Park Operations: Supplies				4,300		4,300	Landscaping supplies to provide minimum parks and streetscape maintenance would be reduced.
Parks & Rec Admin: Special Events (original 5% cut)				22,500		22,500	Start up funds for special events related to economic development in the downtown would be eliminated.
Park & Recreation Special Events				14,100		14,100	Eliminate funds to support/enhance community special events such as Fireworks Over Des Moines, Des Moines Criterion and Waterfront Farmers Market. Farmers Market is a new 2009 budget request with no net increase.
Parks & Rec Rec Programs: Supplies-$14,000; Prof Services-$17,328; & Other Services-$12,067				43,395		43,395	Reduces multiple expenditures and programming opportunities related to fee supported recreation programs: $12,000 operating supplies, $2,000 small tools & equipment, $17,000 professional services, $500 travel, $1,000 operating rentals & leases, $1,000 advertising, $9,567 misc. (department brochure printing, program admissions, etc.)
Parks & Rec Sr. Programs: Small Tools-$4,000; Prof Services-$3,000; & Trips/Sp Events-$12,922	19,922			-		-	Senior dance classes will have to be eliminated, as well as day & extended trips.
Parks & Rec Sr. Programs Revenue Reduction	(28,000)			-		-	Reduce Senior Program revenue associated with eliminated senior program, senior dance classes and trips.
Staff Reduction: Park & Rec Programs (Recreation Specialist)	54,678	1.0		-		-	This fee supported position provides face to face leadership for youth sports programs (t-ball, soccer and basketball), teen after school programs at Pacific Middle school and teen dances. The position also supports the work of the Arts Commission and assists at community events. Elimination of this position will result in program reductions.
Reduction in Recreation Program Revenues	(45,000)			-		-	Reduction in recreation program revenues with elimination of Recreation Specialist Position.
Staff Reduction: PBPW Parks Operations (Park Maintenance Worker)		1.0		64,946		64,946	1 of 4 permanent positions eliminated resulting commensurate reduction in maintenance of 92 acres of parks, 2.75 miles of trails, 5 miles of streetscape along Pacific Highway South, 16th Ave South and in the Downtown and reduction in support to games, practices and tournaments at Underwood Park and Field House Ball field.
Police Recruitment/Incentive	17,250			8,625		8,625	Suspend due to hiring freeze or shift to levy lid lift fund. Funded by Levy Lid Lift.
Travel	50,925			20,000		20,000	All travel suspended/Analysis to be provided.
Dues, Schools, Conferences				55,930		55,930	All dues, conferences, training suspendedAnalysis to be provided.

GENERAL & STREET FUNDS RECAP
2009 Preliminary Budget

	Original Strategy	FTEs	2009 BASE	2009 City Mgr Recom-mendations	2009 ONE-TIME	TOTAL	IMPACTS
Eliminate Expected Cost Increases for Janitorial Services	23,880			18,880		18,880	The $21,120 per year, 4 year old janitorial contract expires on 12/31/08. The cost for janitorial services has not increased in 4 years. Many of the City's restrooms, lunch rooms, public area and offices are dirty and unhealthy. The effect of not funding this request will be to reduce cleaning service by half. Alternatively, the City could request that the contractor extend the existing contract one additional year with no or only CPI adjusted cost increase.
Transfer to Arterial Street Fund - Fuel Tax				170,800		170,800	Funds not available in CIP to repay interfund loan and/or support capital program.
Eliminate Transfer for Automation Fees	18,000			-		-	Reduces reserves set aside for new permitting system, or enhancements to existing Sierra Permitting System.
Staff Reduction: PBPW (Street Maintenance Worker)	68,240	1.0		-		-	One of four permanent positions eliminated resulting in a 25% reduction in maintenance of 100-mile citywide streets system.
Reduction in Street Lighting	120,000			-		-	Turn off or eliminate street lighting on most local streets, neighborhood collectors, and other select locations. This is the largest non-personnel related item in the City Streets budget representing 26% of the program. Some impacts to neighborhood safety.
Arts Commission Adj to Revenues ($35,200 - $14,700)	20,500			13,000		13,000	Reduce funding level to tie to revenue estimates/limit program activities.
Civil Service Overtime/City Council reduction by two thirds	33,627			22,418		22,418	This would require the Secretary/Chief Examiner to perform civil service duties on regular time which would take away from her duties as the only full-time support person for the Legal Department.
Police Adm - Small Eqp $5,000; Detectives - Dues/Memberships $1,200, Small Eqp $1,000, OT Training $1,000; Patrol - Supplies $30,000, Prof Svcs $5,000				43,200		43,200	
Police Take Home Vehicle Policy						-	Under review by Police Department.
Police Overtime Training/Reduction Proposed by Chief				30,000		30,000	Under review by Police Department.
Total Expenditure Cuts			$ -	$ 717,314	$ 148,992	$ 866,306	
New Expenditure Requests:							
50th Year Anniversary Contribution					15,000	15,000	
Farmers Market						-	Program is revenue neutral.
Fund .2 FTE for Prosecuting Attorney Position - $13,710				-	-	-	Position currently funded at 0.8 FTE/additional funding to come from reduction in professional services. Results from Increased caseload from new police officers, and new court rules require discovery now be provided by the prosecutor and that a public defender be present at all arraignments. Option to use Levy Lid Lift property tax revenues due to increased caseload provided by new police officers.
Nutrition Site Coordinator ($16,067)				-	-	-	Program is revenue neutral due to federal grant for 2009 only.
Total New Expenditure Requests			$ -	$ -	$ 15,000	$ 15,000	
Revised Excess (Deficit)		10.2	$ (2,580,871)	$ (36,039)	$ (56,612)	$ (92,651)	

GENERAL & STREET FUNDS RECAP
2009 Preliminary Budget

	Original Strategy	FTEs	2009 BASE	2009 City Mgr Recom-mendations	2009 ONE-TIME	TOTAL	IMPACTS
Estimated Beginning Fund Balance						753,341	Includes $193,591 for zoning fees from Landmark on the Sound expected to come in before yearend 2008./Reduce Land Clearing Permits
Estimated Ending Fund Balance						$ 660,690	


CITY OF DES MOINES
Sails With Pride
City of Des Moines
Capital Improvement Plan
2009-2014
SURFACE WATER MANAGEMENT
CAPITAL FUND

Surface Water Management Capital Fund

Change Overview Info

Projects Completed in 2008

- DMMD Slide Repairs – January 2007
- MVD Bridge Projects

New projects since the 2008 CIP Process

- North Fork McSorley Creek Channel & Pipeline
- $410,500 – SWM Funds

Changes to Existing Projects since 2008 CIP Process

- Barnes Creek Detention Facility Alternate Proposal
  - Reduce facility by 50% scope
  - Reduce cost by $488,200

Surface Water Management Capital Fund

Barnes Creek Basin					
Project	Total Cost	Funding	Duration	Operational Impacts	Related Projects
Barnes Creek Detention Facility	$1,513,123	SWM CIP	2008-2010	$6000 Annually	
Barnes Creek Detention Facility Alternat	$1,019,923	SWM CIP	2008-2010	$6000 Annually	
Barnes Creek KDM Culvert Replacemen	$855,200	SWM CIP	2011-2012		

Des Moines Creek Basin					
Project	Total Cost	Funding	Duration	Operational Impacts	Related Projects
Des Moines Creek Basin Projects	$1,320,918	SWM CIP	2007-2010		
Lower Des Moines Creek Channel	$646,051	SWM CIP $194,051 MCI Bch Pk $100,000 KCD/KCFCD $192,000 Dev. Mit $160,000	2008-2009	$8000 Annually	MCI Dining Hall & Sun Home Lodge

McSorley Creek Basin					
Project	Total Cost	Funding	Duration	Operational Impacts	Related Projects
McSorley Creek Basin Plan	$156,000	SWM CIP $106,000 WRIA9 $50,000	2010	$4000 Annually	
N. Fork McSorley Creek Channel & Pipeline Upgrade	$410,500	SWM	2014	$5000 Annually	

Surface Water Management Capital Fund

North Hill					
Projects	Total Cost	Funding	Duration	Operational Impacts	Related Projects
N. Hill Elementary/4th Avenue Pipeline	$105,120	SWM CIP	2009-2010		
N. Hill/NE 197th Trunkline	$477,300	SWM CIP	2012-2013		
N. Hill/199 Trunkline Replacement	$202,700	SWM CIP	2013		

Other					
Project	Total Cost	Funding	Duration	Operational Impacts	Related Projects
Decant Facility/Wash Station	$228,000	SWM $150,900 Eq. Rental $77,100	2009-2010	$3000 Annually	
DMMD Pipelin replacement 212-213th	$100,280	SWM CIP	2009-2010		
Lower Massey Creek Channel Mods	$813,000	SWM CIP $743,000 KC Cons $70,000	2010-2011	$4000 Annually	
24th Avenue Pipeline	$165,400	SWM CIP	2011		

Surface Water Management Capital Fund

	FY09	FY10	FY11	FY12	FY13	FY14
Des Moines Creek Basin Projects						
Expenditure	3,000	3,000				
Funding Source: SWM	3,000	3,000				
Lower DM Creek Channel Modifications						
Expenditure	442,051					
Funding Sources:						
SWM	90,051					
KC Conservation	134,000					
Developmt. Mitigation	160,000					
KC Flood Control	58,000					

Surface Water Management Capital Fund

	FY09	FY10	FY11	FY12	FY13	FY14
Barnes Creek Detention Facility/Culvert: 5.8 acre-foot						
Expenditure	126,000	1,291,200				
Funding Source: SWM	126,000	1,291,200				
Barnes Creek Detention Facility/Culvert Alternative: 2.9 acre-foot						
Expenditure	120,000	804,000				
Funding Source: SWM	120,000	804,000				
Wash/Decant Facility Construction						
Expenditure	60,000	168,000				
Funding Sources:						
SWM	40,000	110,900				
Equipt Rental Fund	20,000	57,100				

Surface Water Management Capital Fund

	FY09	FY10	FY11	FY12	FY13	FY14
North Hill Elementary - 4th Avenue Pipeline Replacement						
Expenditure	20,000	85,120				
Funding Source: SWM	20,000	85,120				
DMMD Pipeline S. 212^{th} to S. 213^{th}						
Expenditure	20,000	80,280				
Funding Source: SWM	20,000	80,280				
McSorley Creek Basin Plan						
Expenditure		156,000				
Funding Source: SWM		156,000				

Surface Water Management Capital Fund

	FY09	FY10	FY11	FY12	FY13	FY14
Lower Massey Creek Channel Modifications						
Expenditure		99,600	713,400			
Funding Source:						
KC Flood Control			70,000			
SWM		99,600	643,400			
24th Avenue Pipeline Replacement						
Expenditure			165,400			
Funding Source: SWM			165,400			
Barnes Creek/KDM Road Culvert Replacement						
Expenditure			101,600	753,600		
Funding Source: SWM			101,600	753,600		

Surface Water Management Capital Fund

	FY09	FY10	FY11	FY12	FY13	FY14
North Hill NE 197th Street Trunkline Upgrade						
Expenditure				70,300	407,000	
Funding Source: SWM				70,300	407,000	
199th North Hill Trunkline Upgrade						
Expenditure					202,700	
Funding Source: SWM					202,700	
N Fork McSorley Creek Channel and Pipe Upgrade						
Expenditure						410,500
Funding Source: SWM						410,500

Surface Water Management Capital Fund

	FY09	FY10	FY11	FY12	FY13	FY14
Beginning Fund Balance	$ 911,976	$1,314,476	$280,506	$119,851	$75,525	$258,925
Local Revenues:						
Interest rate used:	*2.25%*	*1.75%*	*2.25%*	*2.25%*	*2.25%*	*2.25%*
Interest Income	$19,500	$17,900	$4,000	$11,600	$11,100	$2,900
Interest Income w/Barnes Creek Alt.	$19,500	$23,600	$15,400	$17,300	$16,900	$8,800
Hook-up Fees	60,000	75,000	75,000	75,000	75,000	75,000
Transfer from SWM operations	622,051	649,230	670,745	692,974	707,000	728,250
Total Local Revenues	701,551	742,130	749,745	779,574	793,100	806,150
Total Project Revenues	372,000	107,100	70,000	-	-	-
Total Revenues and Fund Balance	1,985,527	2,163,706	1,100,251	899,425	868,625	1,065,725
Total Project Expenditures	671,051	1,883,200	980,400	823,900	609,700	410,500
Total Project Expenditures w/BC Alt.	665,051	1,396,000	980,400	823,900	609,700	410,500
Ending Fund Balance	$1,314,476	$280,506	$119,851	$75,525	$258,925	$654,575
Ending Fund Bal/ BC Alt.	$1,320,476	$779,406	$630,151	$591,525	$780,725	$1,182,275

Surface Water Management Capital Fund

Project Revenues

	FY09	FY10	FY11	FY12	FY13	FY14
Lower DM Creek Channel Modifications	352,000					
Wash/Decant Facility Construction	20,000	57,100				
McSorley Creek Basin Plan		50,000				
Lower Massey Creek			70,000			
Total Project Revenues	372,000	107,100	70,000			

Surface Water Management Capital Fund

Project Expenditures

	FY09	FY10	FY11	FY12	FY13	FY14
DM Crk Basin Projects	3,000	3,000				
Lower DM Crk Channel Modifications	442,051					
Barnes Crk Detention Facility/Culvert	126,000	1,291,200				
Barnes Detent. Alt.	120,000	84,000				
Wash/Decant Facility Construction	60,000	168,000				
N Hill Elem 4th Ave Pipeline Replacement	20,000	85,120				
DMMD Pipeline 212th-213th	20,000	80,280				
McSorley Crk Plan		156,000				
Lower Massey Crk		99,600	713,400			

Surface Water Management Capital Fund

Project Expenditures

	FY09	FY10	FY11	FY12	FY13	FY14
24th Ave Pipeline Repl.			165,400			
Barnes Creek/KDM Culvert Replacement			101,600	753,600		
N Hill NE 197th St Trunkline				70,300	407,000	
199th N Hill Trunkline Upgr.					202,700	
N Fork McSorley Crk Channel ad Pipe Upgrade						410,500
Total	$671,051	$1,883,200	$980,400	$823,900	$609,700	$410,500
Total with Barnes Crk. Detention Alternative	$665,051	$1,396,000	$980,400	$823,900	$609,700	$410,500

OLD BUSINESS
Item #3

AGENDA ITEM

BUSINESS OF THE CITY COUNCIL
City of Des Moines, WA

SUBJECT: Multifamily Tax Exemption Ordinance

ATTACHMENTS:
1. Draft Ordinance 08-163 (2nd Draft)

FOR AGENDA OF: October 30, 2008

DEPT. OF ORIGIN: Planning, Building, & Public Works

DATE SUBMITTED: October 21, 2008

CLEARANCES:
[X] Planning, Building & Public Works ____
[X] Legal _____

APPROVED BY CITY MANAGER FOR SUBMITTAL: ________

Purpose and Recommendation:

The purpose of this agenda item is to continue the City Council's discussion regarding the implementation of a Multifamily Tax Exemption program (hereinafter "MFTE") for development of properties in the Pacific Ridge.

Suggested Motion:

No suggested motions at this time. The City Council has already established the Public Hearing date for Draft Ordinance 08-163 which is scheduled for January 15, 2009.

Background:

On July 13, 2000, the City Council adopted Ordinance No. 1267, establishing the Pacific Ridge Zone, Chapter 18.31 DMMC. This action was the culmination of two years of effort aimed at providing development regulations that would promote redevelopment of properties in the Pacific Ridge Neighborhood in order to create an attractive, safe, and desirable area to work and live. As result, the City of Des Moines crafted an innovative strategy to promote market-driven redevelopment by synthesizing a long-range vision, marketing strategies, creative building regulations, roadway improvements, environmental protection, infrastructure, community policing, and applicant-oriented permitting.

The _City of Des Moines Pacific Ridge Neighborhood Plan and Integrated Draft Environmental Impact Statement_ (the Neighborhood Plan) predicted that the rate of new construction in the Pacific Ridge would be relatively flat for the first 10 years, and then climb steadily during the second half of a 20-year period. Since 2006, City Council has been working to facilitate the redevelopment in the Pacific Ridge in order to achieve the City Council's adopted vision for the Pacific Ridge established by the Pacific Ridge Neighborhood Improvement Plan significantly prior to the 20 year window.

August 28, 2008

The City Council received a briefing on the advantages of developing a Multifamily Tax Exemption (MFTE) program to further facilitate the redevelopment of the Pacific Ridge. The briefing focused on the state mandate requirements for jurisdictions which adopt a MFTE and the City of Tacoma's use of tax exemptions to facilitate the redevelopment of blighted areas in Tacoma. At the conclusion of the briefing the City Council directed staff to prepare an ordinance that could be adopted to establish a similar program in the Pacific Ridge Neighborhood.

October 9, 2008

Based on the City Council discussion on August 28, 2008, the staff presented proposed Draft Ordinance 08-163 which created an 8 year exemption period without the affordable housing requirements. This first draft of the MFTE ordinance exempted new market rate multifamily housing projects from property taxes on the value of the new construction for a period of 8 years and would not provide additional incentives for the creation of affordable housing (defined as 100% of median income). Also, the exemption only applied to ad valorem property taxes and not the taxes associated with the assessed value of the land, B&O taxes, utility taxes, real estate excise tax, and construction sales tax. The exemption within the proposed ordinance did not apply to the commercial area of a new mixed use building; the ad valorem property taxes would still be required on the value of this new construction during the exemption period.

Discussion:

Since 2000, Des Moines has envisioned transforming the Pacific Ridge Neighborhood into a new urban community which requires the replacement of lower-scale, existing buildings with new structures that will dramatically enhance the appearance, character, economics, and safety of the area. One of the primary challenges in realizing redevelopment consistent with the vision of the Pacific Ridge Neighborhood identified in Chapter 3: *Market Influence and Analysis* (Market Study) of the Neighborhood Plan is the Pacific Ridge's lack of a track record in developing Class A office space and high density market rate residential projects. The Market Study also identifies the need for additional infrastructure capacity required for higher density land uses and recognizes that the lack of supporting and compatible uses will be significant challenges facing the "pioneering" developers in the Pacific Ridge Neighborhood. These disincentives were predicted to increase property development costs significantly and reduce the economic advantage of the relatively inexpensive land, thus significantly reducing the economic incentive to redevelop Pacific Ridge.

In order to overcome these challenges and increase the pace of redevelopment consistent with the vision, the Market Analysis encouraged the City to take a pro-active approach by implement policies and strategies that will facilitate the higher residential land use densities, higher levels of commercial development and use, and increased levels of economic development.

To that end, the City adopted a SEPA Planned Action to help offset the cost of development in the area by conducting all the environmental analysis for the first 3,125,000 square feet of commercial development and 5,541 residential units.

Additionally, by Executive Order 07-005 the City Manager established the *Pacific Ridge Redevelopment Incentive Program* which established a separate fee schedule for projects over 50,000 square feet in the Pacific Ridge as an incentive for redevelopment. This schedule is typically a 20% reduction in development fees for these larger projects.

However, these incentives have not sufficiently reduced the cost of development for the "pioneering" developers and lenders in Pacific Ridge. In order to further facilitate development consistent with the adopted vision, the City Council could adopt a multi-family property tax exemption ordinance.

The authority for the City to adopt a property tax exemption ordinance is provided by Chapter 84.14 RCW. This Chapter authorizes local jurisdictions with a population over 15,000 to adopt a tax abatement ordinance to encourage and stimulate the construction of multifamily housing with or without an affordable housing requirement.

If the City Council decided to adopt a Multifamily Tax Exemption program within the City, a new chapter would be established within Title 3 DMMC. This chapter would provide the mechanism that would identify the areas subject to the proposed exemption, create project eligibility requirements, establish the length of the exemption, and govern the application review/denial/amendment process.

The first draft of proposed ordinance contained two primary limitations: (1) Eight (8) years only without affordable housing requirements and (2) the geographical areas is limited to the Pacific Ridge Neighborhood south of South 216th Street and north of Kent-Des Moines Road.

During the City Council's October 9, 2008 discussion regarding Draft Ordinance 08-163, some Council Member's expressed concerns which needed to be address by further limitations and guidelines. Below is a list of the City Council's 3 primary concerns expressed at the meeting which staff has attempted to address in the second draft of the MFTE ordinance:

1. The proposed exemption should clearly apply to only the Pacific Ridge.

   Section 3 of the first draft of the MFTE ordinance has been removed; the information provided in the section was incorporated to the Findings of Fact. These Findings of Fact are specific to the identification of only the Pacific Ridge as meeting the requirements established by 84.14 RCW. The former Section 3 is not a required element of the chapter because it simply established the criteria to designate areas outside of the Pacific Ridge as a residential targeted area in order to be exempt from property taxes under the new chapter. Also the guideline section was amended from requiring that the property is within a "Residential Targeted Area" to being within the "Pacific Ridge Neighborhood".

2. The proposed exemption could have a negative impact of the City's tax revenues.

   In order to address this concern, staff added a guideline requiring that the tax exemption does not create a significant tax burden on the City. The guidelines were also amended to require that the property is developed in a manner that increases or preserves property valuation and represents an increased investment in the property that results in an increase in the over-all property values in the area. Staff also added an additional submittal requirement which requires the developer to provide a financial summary illustrating the financial impacts that would occur if the City granted the tax exemption for a specific project or building.

   Finally, both versions of the proposed ordinance require that the City Manager submit a report to the City Council on a yearly basis. The report to the City Council is required to outline development activity, types and numbers of units produced and their locations, rent and sales prices, and other appropriate factors. The reports may also include recommendations on whether any areas should be added or removed and will analyze any issues related to the use of the program for homeownership units.

3. The proposed exemption should only be related to new construction.

   The ordinance has been amended to apply to only new construction.

In addition to these limitations, the City Council must also establish the minimum number of units that must be constructed as part of the exemption program as shown by the grey boxes in Section 4 of the ordinance (pg 8 and 9). RCW § 84.14.060 requires that projects have a minimum of 4 units to qualify for the tax exemption; however, the City Council may set a higher minimum unit requirement. Both the Cities of SeaTac and Bremerton require that the project contains a minimum of 20 units.

In addition to establishing the minimum number of units and the additional guidelines included in the second draft of the ordinance, the City Council may also establish other guidelines within Section 4 of the proposed ordinance. These additional guidelines can tailor the incentive to encourage projects that more close align with the City's adopted vision for the Pacific Ridge. These guidelines may include height, density, public benefit features, number and size of proposed development, type of unit (condominium or apartment) or other adopted requirements indicated necessary by the City pursuant to RCW § 84.14.030.

The objective of the program is to create an incentive that will encourage the construction of market rate multifamily housing at a scale consistent with the vision of the Pacific Ridge Neighborhood by reducing development costs.

One other noticeable change was made to the second draft of the proposed MFTE ordinance to improve readability and shorten the length of the new chapter. First, the definitions in Section 3 of the second draft of the ordinance were identical to the definitions adopted by RCW 84.14.010. Therefore, the definitions were adopted by reference instead of individually.

Alternatives:

Financial Impact:

New development would add additional construction sales tax revenue, utility tax, B&O tax, real estate excise tax and property tax on increased land value, property tax on the construction of new commercial areas of new mixed use buildings, and full property taxes on pure commercial projects. Adoption of the exemption ordinance does not significantly reduce the amount of property tax currently paid to the City since the building may not be built without the exemption. The primary advantage of the exemption is that it reduces the carrying cost of constructed buildings during the initial leasing period of the buildings and helps to offset upfront development costs. The Market Study also concluded that there are greater criminal justice costs associated with a slower pace of redevelopment cost compared to increase property value due rapid redevelopment at the scale envisioned in the Neighborhood Plan.

Recommendation/Conclusion:

Concurrence:

Planning, Building & Public Works and Legal Departments concur.

DRAFT ORDINANCE NO. 08-163
Development Services Second Draft
October 21, 2008

AN ORDINANCE OF THE CITY OF DES MOINES, WASHINGTON creating a new Chapter in Title 3 of the DMMC providing a tax exemption as an incentive to facilitate the development of market rate multiple-unit dwellings in the City of Des Moines.

WHEREAS, the State Legislature amended Chapter 84.14 RCW to provide incentives for cities with a population of 15,000 or more to promote construction of multiple-unit dwellings to provide housing; and

WHEREAS, the goal of Chapter 84.14 RCW is to stimulate new multifamily housing in targeted "residentially deficient" areas in order to meet the goals established by the Growth Management Act; and

WHEREAS, as the purpose the Multifamily Tax Exemption as established by Section 84.14.007 RCW is to encourage and stimulate the construction of new multifamily housing opportunities in cities that are required to plan under the Growth Management Act where the governing authority of the affected city has found there is insufficient housing opportunities.

WHEREAS, the City seeks to accomplish the planning goals required under the Growth Management Act, Chapter 36.70A RCW, as implemented by the City's comprehensive plan;

WHEREAS, the City has identified the Pacific Ridge Neighborhood as established in the Des Moines Comprehensive Plan as the area to provide the majority of the new housing necessary to achieve the City's mandated 2020 growth targets; and

WHEREAS, the City seeks to encourage and promote new multifamily developments; and,

WHEREAS, the City seeks to stimulate the construction of new multifamily housing; and

WHEREAS, the City seeks to increase the supply of multifamily housing opportunities within the City; and

ATTACHMENT 1

WHEREAS, Strategy 2-04-08 of Land Use Element of the Des Moines Comprehensive Plan states that the City should "[E]ncourage improvement of the … Pacific Ridge Neighborhood by working with the business community and other representative organizations to achieve the goals of the City of Des Moines Comprehensive Plan"; and

WHEREAS, Policy 7-03-06 of Housing Element of the Des Moines Comprehensive Plan states that the City should, "[P]romote compatible residential development that is affordable to all economic segments of the Des Moines community"; and

WHEREAS, the intent of the Pacific Ridge Neighborhood as established by Goal 11-01-01 of Pacific Ridge Element, of the Des Moines Comprehensive Plan is "to transform Pacific Ridge into a new urban community that takes advantage of its geographic location, local and regional transportation linkages, stable soils, and view potential. The transformation of Pacific Ridge will include replacement of lower-scale, existing buildings with new structures that will dramatically enhance the appearance, character, economics, and safety of the area. Pacific Ridge will contain buildings and open spaces designed for pedestrians as well as the motorist. Pacific Ridge will be an area of businesses and residences. New buildings may be five to eight stories in height along Pacific Highway emphasizing retail and office uses. Between the development along Pacific Highway and Interstate 5, buildings may be eight (8) or more stories in height emphasizing residential high-rise home ownership with green open spaces and view corridors. This new community will exhibit superior design features that make Pacific Ridge inviting to residents and businesses, complement other areas of Des Moines, and foster community pride;" and

WHEREAS, Policy 11-03-07 of the Pacific Ridge Element of the Des Moines Comprehensive Plan provides that the City should "promote redevelopment of Pacific Ridge properties to attract new or expanded businesses and commercial development to Pacific Ridge,," and

WHEREAS, Strategy 11-04-02 of the Pacific Ridge Element of the Des Moines Comprehensive Plan provides that the City should "[E]ncourage land assemblage … so that larger-scale development proposals can be considered …", and

WHEREAS, Strategy 11-04-04 of the Pacific Ridge Element of the Des Moines Comprehensive Plan states that the City should "Encourage new residential development to offer owner-occupied dwellings;" and

WHEREAS, DMMC 18.31.010, et seq. was enacted by the City to implement the Des Moines Comprehensive Plan, Pacific Ridge Neighborhood Improvement Plan, and other adopted policies for the commercial and residential areas of Pacific Ridge, including, inter alia, the transformation of Pacific Ridge into a new urban community that takes advantage of its geographic location, local and regional transportation linkages, and view potential; the replacement of lower-scale, existing buildings with new larger scale and higher structures that will dramatically enhance the appearance, character, economics, and safety of the area; and exhibit superior design features that makes Pacific Ridge inviting to residents and businesses, complements other areas of Des Moines, and fosters community pride; and

WHEREAS, other objectives and purposes of DMMC 18.31.010, et. seq., are to, *inter alia*, provide development regulations to promote redevelopment of properties within Pacific Ridge to create attractive, safe, and desirable areas to work and reside; to establish higher density development to meet or exceed the City's population and employment growth targets specified by the countywide planning policies for King County; and to reduce the social problems caused by the existing structures and land uses such as high crime rates (especially major felony crimes), declining property values, unsafe and undesirable housing conditions, insufficient building and property maintenance, absentee property ownership/management, violation of zoning, construction, and health codes, transient residency, and marginal businesses; and

WHEREAS, the SEPA Planned Action evaluated a build out scenario for Pacific Ridge which assumed the development of 5,541 residential units and was adopted by City Ordinance 1298 as required by WAC 197-11-168; and

WHEREAS, Pacific Highway South (SR-99) is considered a regional transit corridor by King County METRO and Sound Transit; and

WHEREAS, both agencies have plans to expand service into and through the Pacific Ridge Neighborhood (i.e., King County Executive's 'Rapid Ride' program will bring high speed bus transit through the Pacific Ridge along Pacific Highway South and Phase II Sound Transit would extend light rail from SeaTac Airport through the Pacific Ridge Neighborhood; and

WHEREAS, the City supports the development of high density multifamily housing that will complement and support high intensity mass transit; and

WHEREAS, the area identified as the Pacific Ridge Neighborhood meets the standard of a blighted area as defined in RCW 35.81.015, and

WHEREAS, the City Council finds that this ordinance is appropriate and necessary; now therefore,

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

Section 1. Findings of fact. The findings of fact set forth in Exhibit 1, attached hereto and incorporated by this reference, are adopted in full by the City Council in support of its decision to designated areas of the Pacific Ridge Neighborhood as geographically illustrated in Exhibit 2 of this Ordinance as a residential target area as required by Chapter 84.14 RCW.

Section 2. Purpose.

~~(1)~~ The purposes of this chapter are:

(~~a~~1) To achieve the proposes and goals esblished by Section 84.14.007 RCW;~~encourage more multifamily housing opportunities within the city;~~

~~(b) To stimulate the construction of new multifamily housing and the rehabilitation of existing vacant and underutilized buildings for multifamily housing;~~

~~(c) To increase the supply of multifamily housing opportunities within the city;~~

(~~d~~2) To accomplish the planning goals required under the Growth Management Act, Chapter 36.70A RCW, as implemented by the city's comprehensive plan;

(~~e~~3) To encourage additional housing in certain areas to support investment in public transit projects.

~~(2) Any one or a combination of these purposes may be furthered by the designation of a residential targeted area under this chapter.~~

Section ~~2~~3. Definitions.

In construing the provisions of this Chapter, the definitions set forth in RCW 84.14.010, as set forth now or hereafter amended, shall apply, unless modified in this Section. The following definitions shall also apply:

(1) "Assessor" means the King County Assessor.

~~(2) "Growth management act" means chapter 36.70A RCW.~~

~~(3) "Multiple-unit housing" means a building having [illegible] not designed or used as transient accommodations and not including hotels and motels. Multifamily units may result from new construction or rehabilitated or conversion of vacant, underutilized, or substandard buildings to multifamily housing.~~

~~(4) "Owner" means the property owner of record.~~

~~(5) "Permanent residential occupancy" means multiunit housing that provides either rental or owner occupancy on a nontransient basis. This excludes hotels and motels that offer rental accommodation on a daily weekly or monthly basis.~~

~~(6) "Rehabilitation improvements" means:~~

~~(a) Modifications to existing structures that are vacant for twelve months or longer, that are made to achieve a condition of substantial compliance with the existing building and construction codes contained in Title 14 of this code; or~~

~~(b) Modifications to existing occupied structures or mixed use structures which increase the number of multifamily housing units.~~

~~(7) "Residential targeted area" means an area that has been so designated by the city council pursuant to this chapter.~~

~~(8) "Substantial compliance" means compliance with the applicable building and construction codes contained in Title 14 of this code that is typically required for rehabilitation as opposed to new construction.~~

~~**Section 3. Residential targeted areas — Criteria — Designation — Rescission.**~~

~~(1) Following notice and public hearing as prescribed in RCW 84.14.040, the city council may, by resolution, designate one or more or a portion of residential targeted areas, in addition to the areas stated in subsection (4) of this section, upon a finding by the city council in its sole discretion that the residential targeted area meets the following criteria:~~

~~(a) The residential targeted area is within an urban center as defined by Section 84.14.010 RCW[1];~~

~~(b) The residential targeted area lacks sufficient available, desirable and convenient residential housing to meet the needs of the public who would be likely to live in the area if, desirable, attractive and livable residences were available; and~~

~~(c) Providing additional housing opportunityin the residential targeted area will assist in achieving one or more of the following purposes:~~

~~(i) Encourage increased residential opportunities within the city; or~~

~~*"Urban center" means a compact identifiable district where urban residents may obtain a variety of products and services. An urban center must contain: (a) Several existing or previous, or both, business establishments that may include but are not limited to shops, offices, banks, restaurants, governmental agencies (b) Adequate public facilities including streets, sidewalks, lighting, transit, domestic water, and sanitary sewer systems; and (c) A mixture of uses and activities that may include housing, recreation, and cultural activities in association with either commercial or office, or both, use.*~~

~~(ii) Stimulate the construction of new multifamily housing; or~~

~~(iii) Encourage the rehabilitation of existing vacant and underutilized buildings for multifamily housing.~~

~~(2) In designating a residential targeted area, the city council may also consider other factors, including:~~

~~(a) Whether additional housing in the residential targeted area will attract and maintain an increase in the number of permanent residents;~~

~~(b) Whether an increased permanent residential population in the residential targeted area will help to achieve the planning goals mandated by the Growth Management Act under Chapter 36.70A RCW, as implemented through the City's Comprehensive Plan; or~~

~~(c) Whether encouraging additional housing in the residential targeted area supports plans for significant public investment in public transit or a better jobs and housing balance.~~

~~(3) At any time the city council may, by ordinance, in its sole discretion, amend or rescind the designation of a residential targeted area pursuant to the same procedural requirements as set forth in this chapter for original designation.~~

~~(4) The following areas, as shown on Map 1 attached as Exhibit A to Draft Ordinance 08-163, meet the criteria of this chapter for residential targeted areas and are designated as such:~~

~~(a) Pacific Ridge Nieghborhood South of South 216th Street and North of Kent-Des Moines Road~~

~~(b) Reserved~~

~~(5) If a part of any legal lot is within a residential targeted area as shown on Map 1 then the entire lot shall be deemed to lie within such residential targeted area.~~

Section 4. Project Eligibility. To be eligible for exemption from property taxation under this chapter, the property shall satisfy all of the following requirements:

(1) The property must be located in the Pacific Ridge Nieghborhood South of South 216th Street and North of Kent-Des Moines Road. The area, is further geographically illustrated on the map attached as Exhibit 2 to Draft Ordinance 08-163; provided that: ~~a residential targeted area.~~

(a) If a part of any legal lot is within a Pacific Ridge Neighbood as shown on Map 1 then the entire lot shall be deemed to lie within exemption area.

(ab) ~~For properties located within the Pacific Ridge Neighborhood t~~The exemption shall only be available for the first 5,541 residential units.

(2) The project must be multifamily housing consisting of at [illegible] within a residential structure or as part of a mixed use development, in which at least fifty percent of the space within such residential structure or mixed use development is intended for permanent residential occupancy.

~~(3) For new construction, a minimum of [illegible] must be created; for rehabilitation or conversion of existing occupied structures, a minimum of [illegible] must be added.~~

~~(4) Existing dwelling units proposed for rehabilitation shall have been unoccupied for a minimum of twelve months prior to submission of an application and shall fail to comply with one or more requirements the building code as set forth in Title 14 of this code.~~

(3) The property shall be developed in a manner that increases or preserves property valuation, and the development of the property must represent an increased investment in the property that results in an increase in the over-all property values in the area.

(4) The exemption shall not result in a significant tax burden on other property owners within the City.

(5) The project shall comply with all applicable zoning requirements, land use regulations, and building and housing code requirements contained in Titles 14 16, 17, and 18 of the Des Moines Municipal Code.

(6) For the duration of the exemption granted under this Chapter, the property shall be in full compliance with the provisions of the Des Moines Municipal Code.

(~~6~~7) ~~New~~ The construction ~~of multifamily housing and rehabilitation improvements must~~ shall be ~~scheduled to be~~ completed within three years from the date of approval of the application.

Section 5. Application Procedure - Fee.

(1) The owner of property applying for exemption under this chapter shall submit an application to the City ~~Manger~~Manager or designee, on a form established by the City ~~Manger~~Manager or designee. The owner shall verify the application by oath or affirmation. The application shall contain such information as the City ~~Manger~~Manager or designee may deem necessary or useful, and shall include:

(a) A brief written description of the project and preliminary schematic site and floor plans of the multifamily units and the structure(s) in which they are proposed to be located.

(b) A statement from the owner acknowledging the potential tax liability when the property ceases to be eligible for exemption under this chapter.

(c) A financial report demonstrating the impacts that the tax exemption will have on the City's tax revenues.

~~(c) In the case of rehabilitation of an existing vacant structure under Section 2(6)(a), verification from the fire and building department of non-compliance with applicable building and housing codes as required under Section 2(6)(a), and an affidavit from the owner verifying that the existing dwelling units have been vacant for a period of twelve months prior to filing the application.~~

(2) At the time of application under this section, the applicant shall pay to the ~~city~~ City an initial application fee as established by the City ~~Manger~~Manager. In addition, at the time of application under this section, the applicant shall pay to the ~~city~~ City a fee of one hundred fifty dollars to cover the ~~county~~ County ~~assessor's~~ Assessor's administrative costs. If the City ~~Manger~~Manager or designee approves the application pursuant to Section 9, the ~~city~~ City shall forward the fee for the county assessor's administrative costs to the ~~county~~ County ~~assessor~~Assessor. If the director denies the application pursuant to Section 9, the city shall refund the fee for the assessor's administrative costs to the applicant.

(3) The City ~~Manger~~Manager or designee shall notify the applicant within twenty-eight days of the application being filed if the City ~~Manger~~Manager or designee determines that an application is not complete and shall identify what additional information is required before the application will be complete. Within fourteen days of receiving additional information, the City ~~Manger~~Manager or designee shall notify the applicant in writing if the City ~~Manger~~Manager or designee determines that the application is still not complete, and what additional information is necessary. An application shall be deemed to be complete if the City ~~Manger~~Manager or designee does not notify the applicant in writing by the deadlines in this section that the application is incomplete; however, a determination of completeness does not preclude the City ~~Manger~~Manager or designee from requiring additional information during the review process if more information is needed to evaluate the application according to the criteria in this chapter.

(4) The application shall be submitted any time before, but no later than, the date the building or other construction permit is issued under Title 14 ~~of this code~~DMMC.

Section 6. Application Review - Issuance of Conditional Certificate - Denial - Appeal.

(1) The City Manager or designee shall approve or deny an application under this chapter. If the application is approved, the applicant shall enter into a contract with the City, subject to approval by resolution of the ~~city~~ City ~~council~~Council, regarding the terms and conditions of the project and

eligibility for exemption under this chapter. The ~~city~~ City ~~council's~~ Council's resolution to approve the applicant's contract with the City shall take place within ninety days of the City Manager's or designee's receipt of the completed application. Upon Ceity ~~council~~ Council approval of the contract, the City Manager or designee shall execute the contract as approved by the ~~city~~ City ~~council~~Council, and shall issue a conditional certificate of acceptance of tax exemption. The conditional certificate shall expire three years from the date of approval unless an extension is granted as provided in this chapter.

(2) If the application is denied, the City Manager or designee shall state in writing the reasons for the denial and send notice of denial to the applicant's last known address within ten days of the denial.

(3) An applicant may appeal the City Manager's or designee's denial of the application to the ~~city~~ City ~~council~~ Council by filing a notice of appeal with the ~~city~~ City ~~clerk~~ Clerk along with the appeal fee as established by ~~ordinance~~ City Manager within thirty days of the date of the denial. The appeal before the ~~city~~ City ~~council~~ Council shall be based upon the record before the City Manager or designee, and the City Manager's or designee's decision shall be upheld unless the applicant can show that there is no substantial evidence on the record to support the City Manager's or designee's decision. The ~~city~~ City ~~council's~~ Council's decision on appeal is final.

Section 7. Amendment of Contract.

(1) Any applicant seeking amendment(s) to the contract approved by the ~~city~~ City ~~council~~ Council may do so by submitting a request in writing to the City Manager or designee at any time within three years of the date of the ~~city~~ City ~~council's~~ Council's approval of the contract.

(2) The City Manager or designee shall have authority to approve amendments to the contract between the applicant and the City that are reasonably within the scope and intent of the contract approved by the ~~city~~ City ~~council~~Council. Amendments that are not reasonably within the scope and intent of the approved contract, as determined by the City Manager or designee

shall be submitted to the ~~city~~ City ~~council~~ Council for approval by resolution.

(3) Any applicant seeking amendments to the approved contract, which in the sole discretion of the City Manager or designee require approval by the ~~city~~ City ~~council~~Council, shall pay to the City an amendment application fee as established by the ~~city~~ City ~~manager~~Manager.

(4) The date for expiration of the ~~conditional~~ Conditional ~~certificate~~ Certificate shall not be extended by contract amendment unless all the conditions for extension set forth in Section 8(1) and (2) are met and the ~~city~~ City ~~council~~ Council specifically approves the extension.

Section 8. Extension of Conditional Certificate. The conditional certificate may be extended for a period not to exceed twenty-four consecutive months. The applicant shall submit a written request stating the grounds for the extension together with a fee as established by the ~~city~~ City ~~manager~~Manager. The City may grant an extension if the ~~director~~ City Council determines that:

(1) The anticipated failure to complete construction ~~or rehabilitation~~ within the required time period is due to circumstances beyond the control of the owner;

(2) The owner has been acting and could reasonably be expected to continue to act in good faith and with due diligence; and

(3) All the conditions of the original contract between the applicant and the ~~city~~ City will be satisfied upon completion of the project.

Section 9. Final Certificate - Application - Issuance - Denial - Appeal.

(1) Upon completion ~~of the rehabilitation improvements or~~ of the ~~new~~ construction as provided in the contract between the applicant and the ~~city~~City, and upon issuance of a ~~certificate~~ Certificate of ~~occupancy~~Occupancy, the applicant may request a final certificate of tax exemption. The applicant shall file with the City Manager or designee such information as the

director may deem necessary or useful to evaluate eligibility for the final certificate, and shall include:

(a) A statement of expenditures made with respect to each multifamily housing unit and the total expenditures made with respect to the entire property.

(b) A description of the completed work and a statement of qualification for the exemption.

(c) A statement that the work was completed within the required three-year period or any approved extension.

(2) Within thirty days of receipt of all materials required for a final certificate, the City ~~Manger~~Manager or designee shall determine whether the work completed is consistent with the application and contract approved by the ~~city~~ City ~~council~~ Council and is qualified for limited exemption under Chapter 84.14 RCW, and which specific improvements completed meet the requirements of this chapter and the required findings of Section 84.14.060 RCW.

(3) If the City Manager or designee determines that the project has been completed in accordance with subsection (1) of this section, the City shall file a final certificate of tax exemption with the assessor within ten days of the expiration of the thirty-day period provided under subsection (2) of this section.

(4) The City Manager or designee is authorized to cause to be recorded, or to require the applicant or owner to record, in the real property records of the King County department of records and elections, the contract which the City required under Section 6(1), and such other document(s) as will identify such terms and conditions of eligibility for exemption under this chapter as the City ~~Manger~~Manager or designee deems appropriate for recording.

(5) The City Manager or designee shall notify the applicant in writing that the ~~city~~ City will not file a final certificate if the City ~~Manger~~Manager or designee determines that the project was not completed within the required three-year period or any approved extension or was not completed in accordance with subsection (2) of this section or if the City

Manager or designee determines that the owner's property is not otherwise qualified under this chapter or if the owner and the ~~director~~ City Manager or designee cannot agree on the allocation of the value of the improvements allocated to the exempt portion of ~~rehabilitation improvements,~~ the new construction ~~and~~ in ~~multiuse~~ mixed use new construction.

(6) Within thirty days of the date of notice of denial of final certificate, the applicant may file a notice of appeal with the ~~city~~ City ~~clerk~~ Clerk along with the appeal fee as established by the ~~city~~ City ~~manager~~ Manager specifying the factual and legal basis for the appeal. The appeal shall be heard by the ~~city's~~ City's ~~hearing~~ Hearing ~~examiner~~ Examiner pursuant to Section 12.

Section 10. Exemption - Duration - Limitations.

(1) The value of new housing construction ~~and rehabilitation improvements~~ qualifying under this chapter shall be exempt from ad valorem property taxation for eight successive years as provided in RCW 84.14.020~~(1)(B).~~ (1)(a)(ii)(A).

(2) The exemption established in subsection 1 of this Sectiondoes not apply to:

(a) The value of land and non-housing related improvements constructed as part of a mixed use structure.

(b) ~~the value of land or to the value of improvements not qualifying under this chapter, to~~To increases in assessed valuation of land and non-qualifying improvements.~~, or to~~

(c) To increases made by lawful order of the King County board of equalization, Washington State Department of Revenue, State Board of Tax Appeals, or King County, to a class of property throughout the county or a specific area of the county to achieve uniformity of assessment or appraisal as required by law. ~~In the case of rehabilitation of existing buildings, the exemption does not include the value of improvements constructed prior to submission of the completed application required under this chapter.~~

Section 11. Annual Certification - Cancellation of Exemption.

(1) A property ~~or individual affordable ownership unit~~ that receives a tax exemption under this chapter shall continue

to comply with the contract and the requirements of this chapter in order to retain its property tax exemption.

(2) Within thirty days after the first anniversary of the date the City filed the final certificate of tax exemption and each year thereafter, for a period of eight years, the property owner shall file a certification with the City ~~Manger~~Manager or designee, verified upon oath or affirmation, which shall contain such information as the City ~~Manger~~Manager or designee may deem necessary or useful, and shall include the following information:

(a) A statement of occupancy and vacancy of the multifamily units during the previous year.

(b) A certification that the property has not changed use and that the property has been in compliance with the requirements set forth in Chapter 84.14 RCW since the date of filing of the final certificate of tax exemption, and continues to be in compliance with the contract with the city and the requirements of this chapter.

(c) A description of any improvements or changes to the property made after the filing of the final certificate or last declaration, as applicable.

(d) Any additional information requested by the City ~~Manger~~Manager or designee in regards to the units receiving a tax exemption.

(3) Failure to submit the annual declaration may result in cancellation of the tax exemption.

(4) For the duration of the exemption granted under this chapter, the property shall have no violation of applicable zoning requirements, land use regulations, and building and housing code requirements contained in Titles 14 and 18 DMC~~of the Des Moines Municipal Code~~ for which the designated ~~city~~ City ~~department~~ Department shall have issued a notice of violation or notice of civil infraction that is not resolved by a certificate of compliance, certificate of release, or withdrawal within the time period for compliance provided in such notice of violation or notice of civil infraction and any extension of the time period for compliance granted by the City Manager or designee.

(5) If the owner intends to convert the multifamily housing to another use, or any other condition to exemption, the owner shall notify the City Manager or designee and the county assessor within sixty days of the change in use or intended discontinuance. Upon such change in use, the tax exemption shall be canceled and additional taxes, interest and penalty imposed pursuant to state law.

(6) The City Manager or designee shall cancel the tax exemption for any property ~~or individual unit~~ that no longer complies with the terms of the contract or with the requirements of this chapter. Upon cancellation, additional taxes, interest and penalties may be imposed pursuant to state law. Upon determining that a tax exemption shall be canceled, the City Manager or designee shall notify the property owner by certified mail, return receipt requested. The property owner may appeal the determination by filing a notice of appeal with the ~~city~~ City ~~clerk~~ Clerk along with the appeal fee established by the ~~city~~ City ~~manager~~ Manager within thirty days of the date of notice of cancellation, specifying the factual and legal basis for the appeal. The appeal shall be heard by the City's ~~hearing~~ Hearing ~~examiner~~ Examiner pursuant to Section 12.

Section 12. Appeals to the Hearing Examiner.

(1) The City's Hearing Examiner is provided jurisdiction to hear appeals of the decisions of the City Manager or designee on the final certificate of tax exemption and cancellation thereof.

(2) The Hearing Examiner procedures established by Chapter 18.94 DMMC shall apply to hearings under this chapter to the extent they are consistent with the requirement of this chapter and Chapter 84.14 RCW. The Hearing Examiner shall give substantial weight to the City Manager's or designee's decision and the burden of overcoming the weight shall be on the appellant. The decision of the Hearing Examiner shall constitute the final decision of the City. An aggrieved party may appeal the decision to King County Superior Court under RCW 34.05.510 through 34.05.598 if the appeal is properly filed within thirty days of the date of the notification by the City to the appellant of that decision.

Section 13. Annual Reporting.

(1) Annually by December 31st of eachyear~~, beginning in 2012,~~ the City shall report to the Department of Community, Trade, and Economic Development ~~the following~~ information required pursuant to RCW 84.14.100(2)~~:~~

~~(a) the number of tax exemption certificates granted;~~

~~(b) the total~~

(2) The City Manager or designee shall review the program established by this chapter and provide a report to the ~~city~~ City ~~council~~ Council outlining development activity, types and numbers of units produced and their locations, rent and sales prices, ~~information regarding the number of low and moderate income households benefiting from the program,~~ and other appropriate factors. These reports may include recommendations on whether any neighborhoods should be added or removed~~, whether affordability limits should be changed in certain areas,~~ and will analyze any issues related to the use of the program for homeownership units. The annual report shall be submitted to the ~~city~~ City ~~council~~ Council no later than March 30th of each year the program is in effect, starting in ~~2012~~2010; each report shall include information for the previous year

Sec. 14. Codification. Sections ~~1~~ 2 through 13 of this ordinance shall constitute a new chapter 3.92 DMMC entitled "Multifamily Tax Exemption."

Sec. 15. 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. 16. Effective Date. This ordinance shall be in full force and effect 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 ______, 2008 and signed in authentication thereof this ______ day of _______, 2008.

____
M A Y O R

APPROVED AS TO FORM:

____
City Attorney

ATTEST:

____
City Clerk

Effective Date: _______________

Published: _______________

EXHIBIT 1

FINDINGS OF FACT

RESOLUTION NO.08-163,

October 21, 2008

The Des Moines City Council, in support of its decision to designated areas of the Pacific Ridge Neighborhood as geographically illustrated in Exhibit 2 of this Ordinance as a residential target area as required by Chapter 84.14 RCW and in consideration of information communicated during a public hearing hereby finds:

1. Strategy 2-04-08 of Land Use Element of the Des Moines Comprehensive Plan states that the City should "[E]ncourage improvement of the … Pacific Ridge Neighborhood by working with the business community and other representative organizations to achieve the goals of the City of Des Moines Comprehensive Plan

2. Policy 7-03-06 of Housing Element of the Des Moines Comprehensive Plan states that the City should, "[P]romote compatible residential development that is affordable to all economic segments of the Des Moines community"

3. The intent of the Pacific Ridge Neighborhood as established by Goal 11-01-01 of Pacific Ridge Element, of the Des Moines Comprehensive Plan is "to transform Pacific Ridge into a new urban community that takes advantage of its geographic location, local and regional transportation linkages, stable soils, and view potential. The transformation of Pacific Ridge will include replacement of lower-scale, existing buildings with new structures that will dramatically enhance the appearance, character, economics, and safety of the area. Pacific Ridge will contain buildings and open spaces designed for pedestrians as well as the motorist. Pacific Ridge will be an area of businesses and residences. New buildings may be five to eight stories in height along Pacific Highway emphasizing retail and office uses. Between the development along Pacific Highway and Interstate 5, buildings may be eight (8) or more stories in height emphasizing residential high-rise home ownership with green open spaces and view corridors. This new community will exhibit superior design features that make Pacific Ridge inviting to residents and businesses, complement other areas of Des Moines, and foster community pride."

EXHIBIT 1

4. Policy 11-03-07 of the Pacific Ridge Element of the Des Moines Comprehensive Plan provides that the City should "promote redevelopment of Pacific Ridge properties to attract new or expanded businesses and commercial development to Pacific Ridge."

5. Strategy 11-04-02 of the Pacific Ridge Element of the Des Moines Comprehensive Plan provides that the City should "[E]ncourage land assemblage … so that larger-scale development proposals can be considered …".

6. Strategy 11-04-04 of the Pacific Ridge Element of the Des Moines Comprehensive Plan states that the City should "Encourage new residential development to offer owner-occupied dwellings."

7. DMMC 18.31.010, et seq. was enacted by the City to implement the Des Moines Comprehensive Plan, Pacific Ridge Neighborhood Improvement Plan, and other adopted policies for the commercial and residential areas of Pacific Ridge, including, inter alia, the transformation of Pacific Ridge into a new urban community that takes advantage of its geographic location, local and regional transportation linkages, and view potential; the replacement of lower-scale, existing buildings with new larger scale and higher structures that will dramatically enhance the appearance, character, economics, and safety of the area; and exhibit superior design features that makes Pacific Ridge inviting to residents and businesses, complements other areas of Des Moines, and fosters community pride.

8. Other objectives and purposes of DMMC 18.31.010, et. seq., are to, *inter alia*, provide development regulations to promote redevelopment of properties within Pacific Ridge to create attractive, safe, and desirable areas to work and reside; to establish higher density development to meet or exceed the City's population and employment growth targets specified by the countywide planning policies for King County; and to reduce the social problems caused by the existing structures and land uses such as high crime rates (especially major felony crimes), declining property values, unsafe and undesirable housing conditions, insufficient building and property maintenance, absentee property ownership/management, violation of zoning,

construction, and health codes, transient residency, and marginal businesses; and

9. The Pacific Ridge Nieghborhoods is within an urban center as defined by RCW 84.14.010(16).

10. RCW 84.14.010(16) defines "Urban center" as a compact identifiable district where urban residents may obtain a variety of products and services. An urban center must contain: (a) Several existing or previous, or both, business establishments that may include but are not limited to shops, offices, banks, restaurants, governmental agencies (b) Adequate public facilities including streets, sidewalks, lighting, transit, domestic water, and sanitary sewer systems; and (c) A mixture of uses and activities that may include housing, recreation, and cultural activities in association with either commercial or office, or both, use.

11. The City has identified the Pacific Ridge Neighborhood as established in the Des Moines Comprehensive Plan as the area to provide the majority of the new housing necessary to achieve the City's mandated 2020 growth targets

12. The Pacific Ridge Neigborhood lacks sufficient available, desirable and convenient residential housing to meet the needs of the public who would be likely to live in the area if, desirable, attractive and livable residences were available.

13. Providing additional housing opportunity in the Pacific Ridge Neighborhood will assist in achieving the following purposes:

    a. Encourage increased residential opportunities within the city.

    b. Stimulate the construction of new multifamily housing.

14. Additional housing in the Pacific Ridge Neighborhood will attract and maintain an increase in the number of permanent residents.

15. Increasing permanent residential population in the Pacific Ridge Neighborhood is critical to achieving the planning goals mandated by the Growth Management Act under Chapter 36.70A RCW, as implemented through the City's Comprehensive Plan.

16. Encouraging additional housing in the Pacific Ridge Nieghboordhood supports plans for significant public investment provided for in Sound Transit's ST2 plan and Metro Transit's Bus Rapid Transit (BRT) program.

17. Encouraging additional housing in the Pacific Ridge Nieghboordhood supports the City's goal of achiving a better jobs and housing balance.

18. The area identified as the Pacific Ridge Neighborhood meets the standard of a blighted area as defined RCW 35.81.015(2).

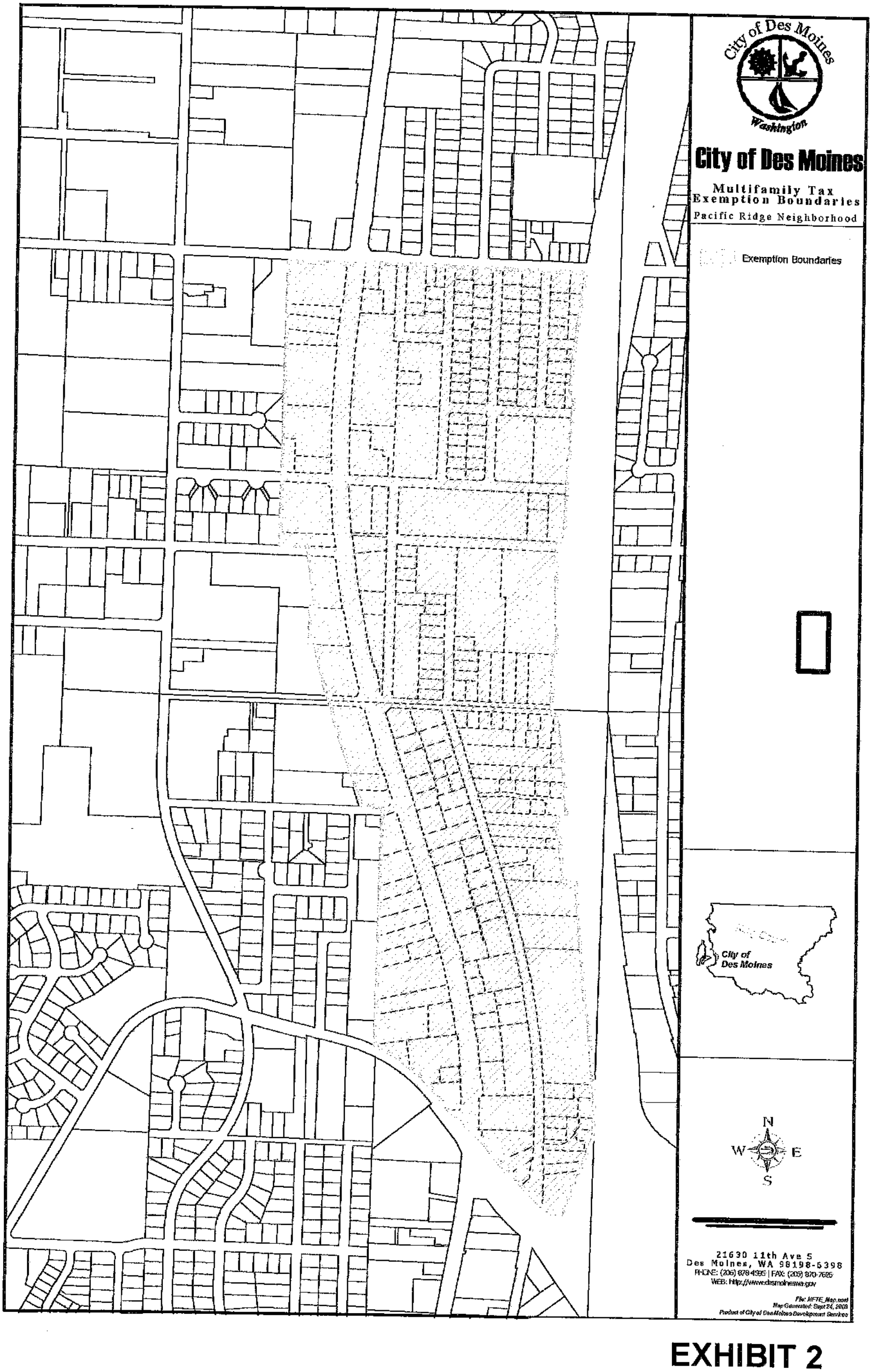
19. RCW 35.81.015(2) defines "Blighted area" as an area which, by reason of the substantial physical dilapidation, deterioration, defective construction, material, and arrangement and/or age or obsolescence of buildings or improvements, whether residential or nonresidential, inadequate provision for ventilation, light, proper sanitary facilities, or open spaces as determined by competent appraisers on the basis of an examination of the building standards of the municipality; inappropriate uses of land or buildings; existence of overcrowding of buildings or structures; defective or inadequate street layout; faulty lot layout in relation to size, adequacy, accessibility or usefulness; excessive land coverage; insanitary or unsafe conditions; deterioration of site; existence of hazardous soils, substances, or materials; diversity of ownership; tax or special assessment delinquency exceeding the fair value of the land; defective or unusual conditions of title; improper subdivision or obsolete platting; existence of persistent and high levels of unemployment or poverty within the area; or the existence of conditions that endanger life or property by fire or other causes, or any combination of such factors, is conducive to ill health, transmission of disease, infant mortality, juvenile delinquency or crime; substantially impairs or arrests the sound growth of the municipality or its environs, or retards the provision of housing accommodations; constitutes an economic or social

liability; and/or is detrimental, or constitutes a menace, to the public health, safety, welfare, or morals in its present condition and use.

20. The tax exemption is necessary to facilitate and encourage re-development within a blighted area.

21. The tax exemption is necessary to facilitate the first step in the process of transforming the Pacific Ridge Neighborhood into a new urban community taking advantage of its geographic location, local and regional transportation linkages, and view potential.

22. The tax exemption is necessary to replace lower-scale, existing buildings with new larger scale and higher structures that will dramatically enhance the appearance, character, economics, and safety of the area; and exhibit superior design features making Pacific Ridge inviting to residents and businesses.


City of Des Moines
Washington
City of Des Moines
Multifamily Tax Exemption Boundaries
Pacific Ridge Neighborhood
Exemption Boundaries
City of Des Moines
N
W
E
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21630 11th Ave S
Des Moines, WA 98198-6398
WEB: http://www.desmoineswa.gov
File: MFTE_Map.mxd
Map Generated: Sept 24, 2008
Product of City of Des Moines Development Services

EXHIBIT 2

NEW BUSINESS
Item #1

AGENDA ITEM

BUSINESS OF THE CITY COUNCIL
City of Des Moines, WA

SUBJECT: Pavement Management Program Briefing

ATTACHMENTS:
1. Summary of Historical Investments
2. Summary of Des Moines street network by condition
3. Cost to maintain pavement over time
4. 2008-2013 CIP Worksheet
5. Preliminary list of identified preventative maintenance projects
6. Preliminary list of overlay projects
7. Preliminary list of overlay with light patching projects
8. Technical Memorandum - Preliminary Engineering for 2009-2011 Pavement Management Program
9. Recommended 2009-2011Pavement Management Program
10. Alternative 2009-2011 Pavement Management Program

AGENDA OF:

DEPT. OF ORIGIN: Planning, Building and Public Works

DATE SUBMITTED: September 30, 2008

CLEARANCES:
[X] Finance pl
[X] Planning, Building & Public Works

APPROVED BY CITY MANAGER
FOR SUBMITTAL:

Purpose and Recommendation:

The purpose of this agenda item is to seek City Council direction on a design and construction approach to maintain the City's pavement. The Council will be briefed on the current state of the City's pavement asset, provided information of the preliminary engineering efforts undertaken in 2008 to identify and prioritize locations for preservation treatments for the next three years of the Pavement Management Program, and then be asked to provide direction. Decisions on funding levels will be made during the Council's CIP budget approval process.

Suggested Motion:

"I move to approve the design and construction approach that groups roadway segments based on geographic location to provide construction cost savings and continuous maintenance between adjacent roadways as explained in Attachment 8 and illustrated in Attachment 9, with the assumption that the identified roadway segments for maintenance may not be all inclusive and minor additions, deletions, and modifications may occur as detailed engineering design proceeds."

Background:

The street network is the City's most valuable public asset, with an estimated replacement cost over $100 million. This asset must be appropriately maintained so that the use of limited financial resources can be maximized. The City's Comprehensive Transportation Plan has identified the Pavement Management Program as a high priority, and the Pavement Management Program continues to be ranked in the top 5 projects in the City's Transportation Improvement Plan (TIP).

With proper maintenance, asphalt pavement has a design life of 20 to 25 years. There are approximately 100 centerline miles of roadway within the City of Des Moines. Given the design life of asphalt pavement, the Pavement Management Program must maintain at least 4 to 5 centerline miles of roadway each year to avoid falling further and further behind. However, historical investment levels have allowed for only 1 to 2 centerline miles of preservation work each year. Attachment 1 provides a summary of the past Pavement Management Program investments for the last 6 years. Between 2002 and 2007, approximately $2.2 million was invested in maintenance and preservation of the City's pavement. During that timeframe, the average Pavement Condition Index (PCI) dropped from an average of 75, to an average of 69 - a significant decline in the quality and overall condition of the City's pavement. Attachment 2 provides a breakdown and comparison of the City's street network by condition for the years 2002 and 2007. In general, as the average PCI for the system falls, the maintenance costs increase dramatically. Attachment 3 provides a summary of the cost as calculated in 2007 to maintain pavements over time, along with some planning level cost estimates. More recent cost estimates by King County staff suggest that these costs have increased by 30% to more than 100% from 2007.

The Pavement Condition Index (PCI) is the standardized score or rating given a particular roadway segment based on an objective set of measures. A newly constructed or freshly overlayed roadway would have a PCI of 100. Roadways with a PCI of 25 or less require complete reconstruction – most of the time including rebuilding the sub-base. To determine the average PCI, each roadway is broken up into logical segments, which are regularly evaluated, about once every four years according to Council policy. This pavement condition survey/evaluation is one of the most important steps in implementing a comprehensive Pavement Management Program. During the survey, descriptive segment inventory data is recorded, and pavement performance information relating to these segments is collected. This data results in a score based on the average condition of the pavement in that segment. This process provides the critical information needed for analysis to determine maintenance and rehabilitation requirements and do long-term planning to establish priorities to maximize resources.

One of the Pavement Management Program budget scenarios that was evaluated by staff in 2007 was an investment of $1,000,000 per year over 12 years. That level of investment will result in an average PCI of 66 at the end of the twelfth year – a reduction from today's PCI of 69. This trend suggests that if historical levels of investment in this program continue, it will not be long before the City's average PCI will fall below 50. It would be financially very difficult for the City to recover from this.

Discussion:

Each year, funds are allocated to the Pavement Management Program in the 6-year Capital Improvement Plan (CIP). Given the condition of the Arterial Streets Fund and in these tough financial times, there have been some discussions of eliminating or significantly reducing the funds allocated to the Pavement Management Program in 2009. Given the extremely high costs that result from continued and extended deferred maintenance, staff feels that reducing Pavement Management Program funds would be a strategic mistake because the cost of deferred reinvestment grows almost exponentially creating even more severe financial problems later. Completely suspending the Program is really an unaffordable choice. The condition of the City's pavement is at the point of no return and the City must find ways to provide the necessary funds to sustain this vital program.

After presenting this information to the Public Safety and Transportation (PS&T) Committee in the late summer of 2007, some minimal goals were established and direction provided to staff on the development of Pavement Management Program for the next 6 years. Those goals were to achieve and then maintain an average Pavement Condition Index (PCI) rating of at least 73 by the year 2013, and dedicate a minimum of 15% of the Pavement Management Program budget to preventative maintenance treatments. The investment levels indicated in the adopted 2008-2013 CIP (Attachment 4) would provide the investment level necessary to meet these goals, and would provide for maintenance on approximately 2 to 3 centerline miles of roadway each year (based on 2007 construction costs). This is still well short of the ideal target of 4 to 5 centerline miles per year, but established a budget to prevent the condition of the pavement from getting worse, and provided for some marginal improvement on certain road segments.

Early in 2008 preliminary engineering efforts began to identify the roadway segments and associated treatment recommendations that would meet the PS&T Committee-established goals provided the constrained budget identified in the adopted 2008-2013 CIP. These criteria were entered into our pavement management software database, and with the help of Northwest Management Systems (our system consultant), an initial list of projects was developed by treatment type that would result in a maximized average PCI. The initial set of recommended projects can be seen in the following Attachments: Preventative Maintenance Projects by year (Attachment 5), Overlay Projects by year (Attachment 6), and Overlay with light Patching Projects by year (Attachment 7).

Staff then contracted with KPG, Inc. to conduct some further engineering analysis of the initial database output. KPG was tasked with taking a closer look at the initial set of projects, which covered the next 12 years, and to develop a refined list of recommended projects for the next three years. They also took a closer look at each roadway segment, and made updated estimates on the costs and necessary treatments associated with each segment. Attachment 8 is a technical memorandum that illustrates the recommended roadway segments to be included in the specific overlay programs for 2009, 2010, and 2011 (or the next three years of the program). These recommendations are based on field reviews that verified site specific general conditions and provided efficient groupings based on geographical location, nature of work, and available budget in each study year. Attachment 9 provides the recommended set of specific overlay programs for 2009, 2010, and 2011 based on a geographical concentration of projects. Staff feels that this method will provide the most cost effective method over the three year program. Attachment 10 provides an alternate approach with includes a similar set of recommended projects (not exact however), but which spreads the preservation effort throughout the City over the same three year period.

The recommended approach will allow for localized annual construction that will produce construction cost benefit, whereas the alternative selects projects throughout the City to achieve a broad maintenance goal and better geographic equity on an annual basis. The recommended approach also groups projects together with a greater variation in calculated pavement management program year. Both approaches identify projects in geographical locations where recent roadway maintenance is minimal.

In either case, minor changes and refinements should be expected during the development of engineering design. For example, identified projects may be adjacent to roadways not yet identified for maintenance, but may be observed to require immediate attention, and small segments of roadways between selected projects may be included to provide continuous overlay. Last, project selection may change as cost estimates are refined closer to advertisement for bids or water or sewer districts do main replacements creating the opportunities to partner with them for significant cost savings.

Staff is continually working to increase the efficiency of the Pavement Management Program, and looking for ways to reduce costs. Some of the Department's strategies include:

- Seeking out opportunities to partner with other agencies or utilities on projects.
- Striving to complete design work during the fall, and advertise for construction bids early in the year (January or February) when bids are more competitive and usually lower.
- Partnering with other jurisdictions, (like Federal Way, SeaTac, or Kent) on construction bids.
- Using seasonal staff or contract maintenance to implement the 15% allocation of these funds for Preventative Maintenance.
- Developing alternate bid sets so we can take advantage of favorable bids. In other words, bid set A would include the projects we think we can afford based on our estimates, and alternate bid set B would include other projects that we would do if we received bids below our estimate. This would require design of a multi year program – which will be one of our recommendations for next years CIP.

Alternatives:

The Council could select the alternate approach as illustrated in Attachment 10.

Recommendation/Conclusion:

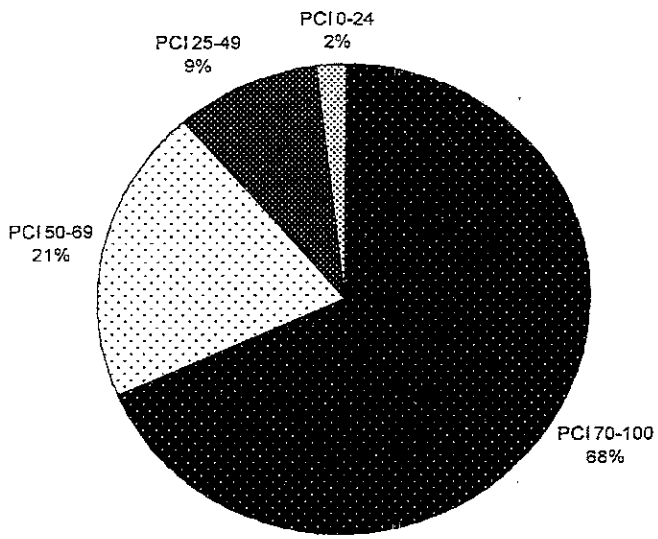
Staff recommends the approach as illustrated in Attachment 9 as this option will potentially help reduce construction costs and provide for continuous roadway maintenance between projects.

Summary of Historical Investments

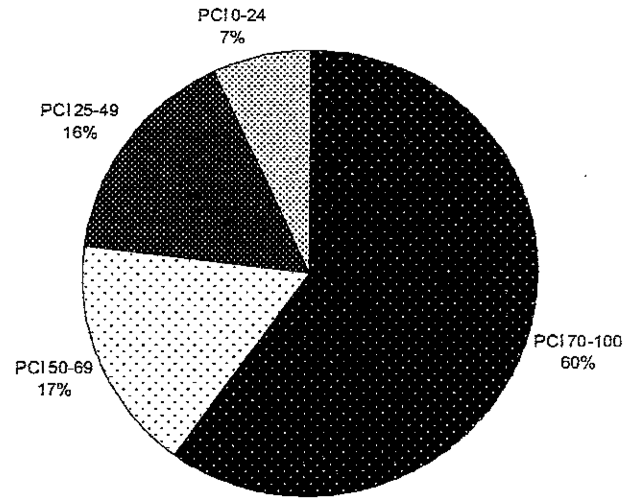
Year	Appropriation	Actual	Centerline Miles	Notes
2002	$300,000.00	$221,665.00	0.33	
2003	$350,000.00	$279,747.00	5.52	Chip Seal
2004	$500,000.00	$0.00	0	
2005	$800,000.00	$659,804.88	1.67	
2006	$800,000.00	$661,708.31	1.77	
2007	$587,500.00	$408,076.00	1.05	
Totals:	$3,337,500.00	$2,231,001.19	10.34	

Attachment 1

Des Moines Street Network by Condition



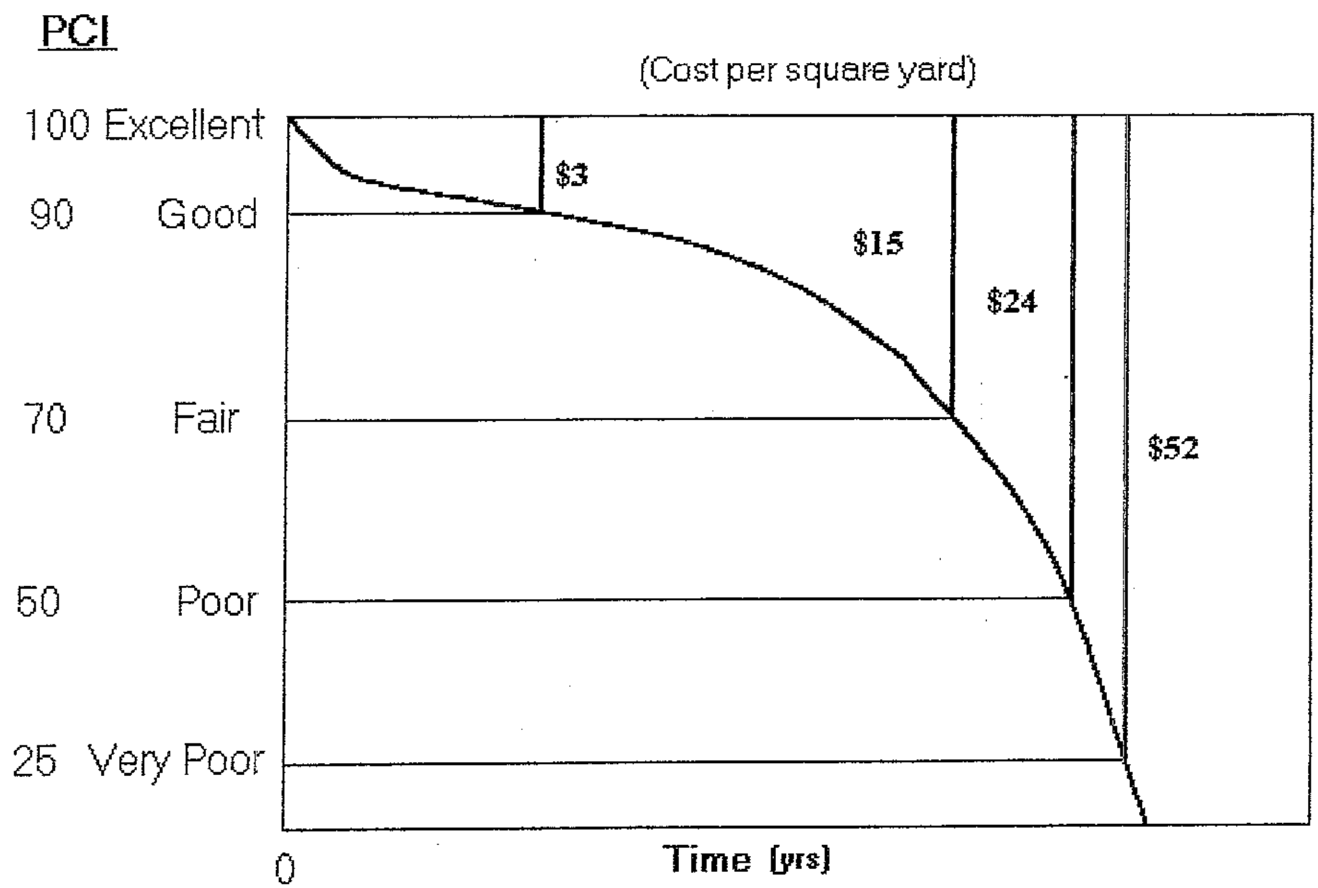
2002



2007

Attachment 2

Costs To Maintain Pavements Over Time (2007)



Attachment 3

CAPITAL IMPROVEMENT PLAN
REQUEST FORM

CATEGORY	Arterial Street	PROJECT NO.	100
		PROJECT STATUS:	
		Preliminary Estimate	X
PROJECT	Pavement Management Program	Plans in Preparation	
		P.S.E. Complete	
LOCATION	City Wide		

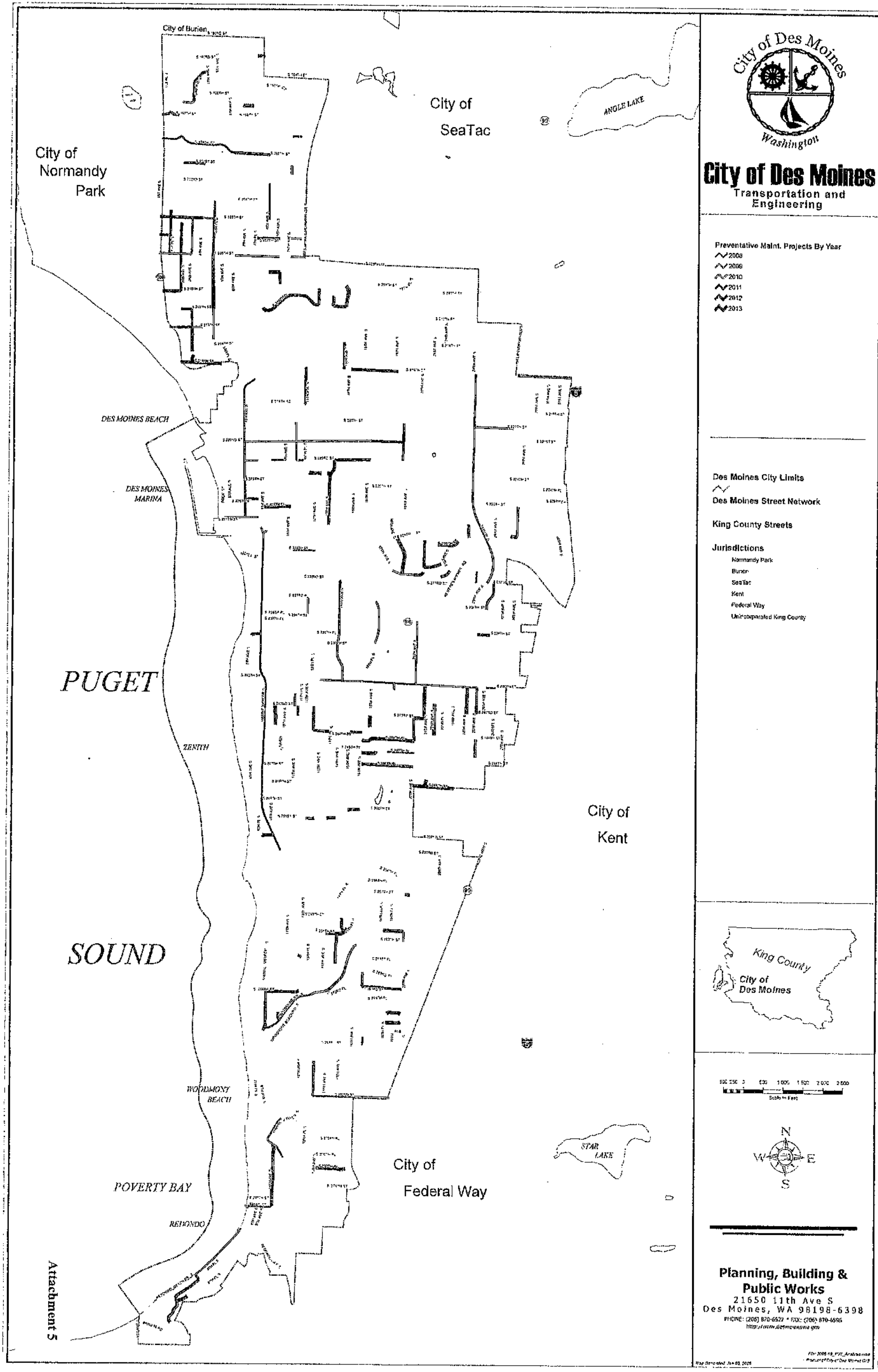
DESCRIPTION: Maintain and preserve the integrity of the City's existing roadway surfaces through a combination of pavement rehabilitation measures, such as chip seals, patches and overlays.

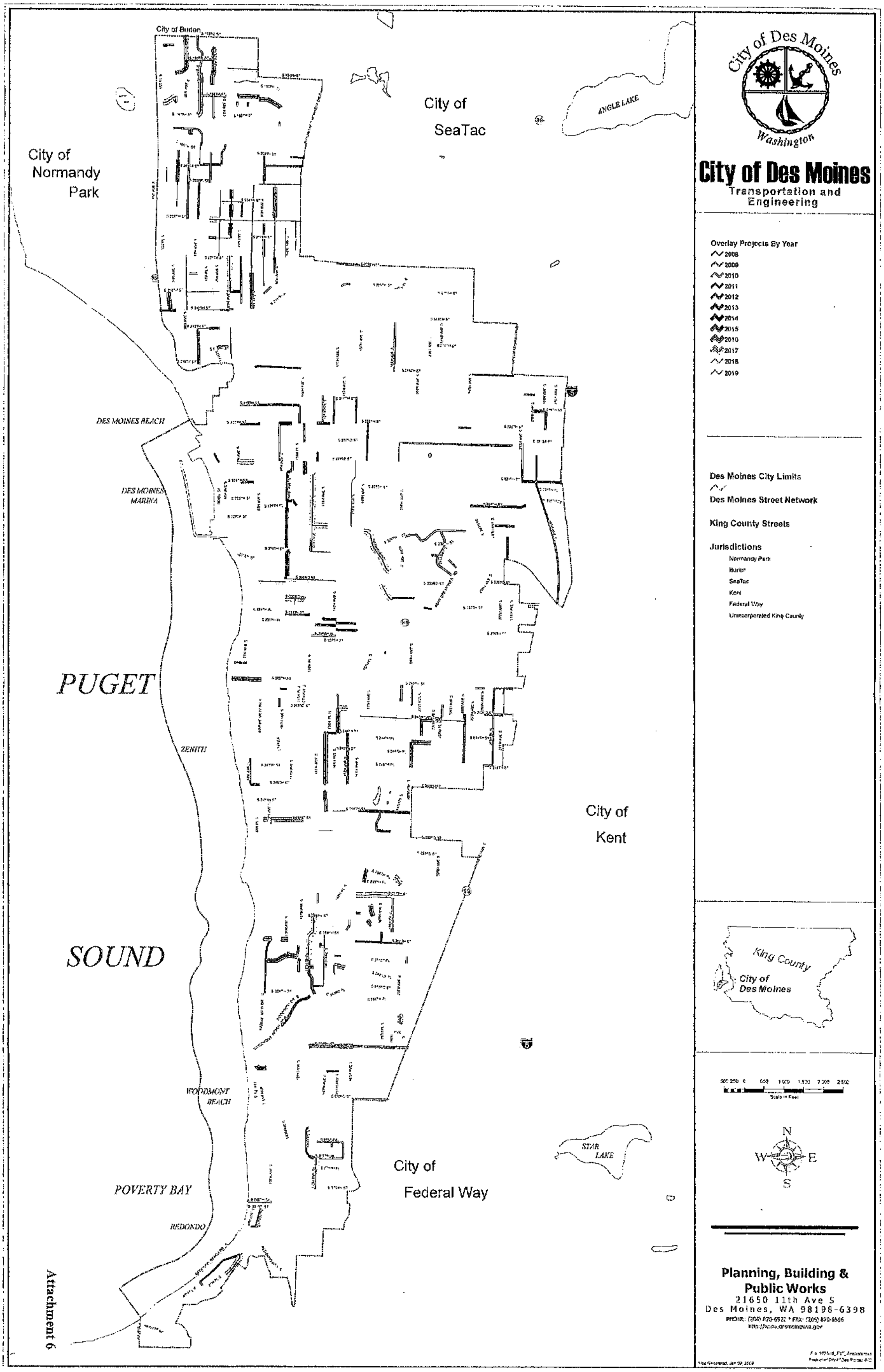
EXPENDITURE SCHEDULE

COST ELEMENTS	TOTAL	Prior 2006	FY 06 ACTUAL	FY 2007 EST	FY 08	FY 09	FY 10	FY 11	FY 12	FY 13
ADMIN (CITY STAFF)	$ 200,000	$ 26,109	$ 9,361	$ 20,000	$ 30,000	$ 30,000	$ 30,000	$ 30,000	$ 30,000	$ 30,000
CIP PROJ MGMNT	35,000		6,643	5,000	5,000	5,000	5,000	5,000	5,000	5,000
DESIGN / ENGINEERING	700,406	31,800	7,069	70,406	100,000	100,000	100,000	110,000	110,000	110,000
LAND				-						
BUILDINGS				-						
IMPROVEMENTS	6,703,500	497,211	523,786	403,500	1,000,000	1,000,000	1,000,000	1,100,000	1,100,000	1,100,000
INSPECTION	672,094	102,794	114,096	42,094	100,000	100,000	100,000	110,000	110,000	110,000
CONTINGENCY	46,500			46,500						
SALES TAX										
OTHER		1,890	753							
TOTAL	$8,357,500	$ 659,805	$ 661,708	$ 587,500	$ 1,235,000	$ 1,235,000	$ 1,235,000	$ 1,355,000	$ 1,355,000	$ 1,355,000

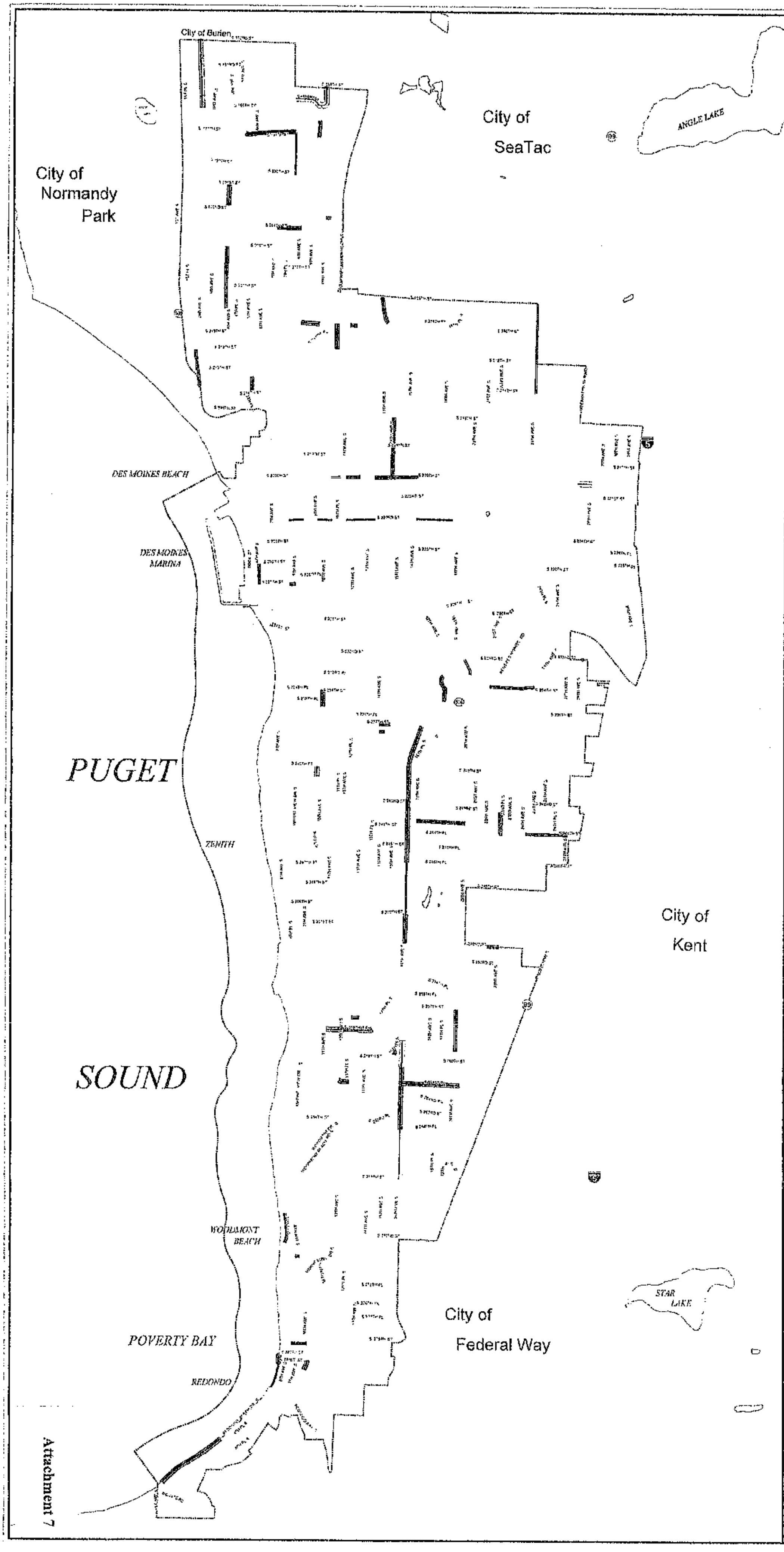
FUNDING SOURCES	TOTAL	Prior 2006	FY 06 ACTUAL	FY 2007 EST	FY 08	FY 09	FY 10	FY 11	FY 12	FY 13
ARTERIAL STREET	$8,357,500	$ 659,805	$ 661,708	$ 587,500	$ 1,235,000	$ 1,235,000	$ 1,235,000	$ 1,355,000	$ 1,355,000	$ 1,355,000
TOTAL	$8,357,500	$ 659,805	$ 661,708	$ 587,500	$ 1,235,000	$ 1,235,000	$ 1,235,000	$ 1,355,000	$ 1,355,000	$ 1,355,000

Attachment 4


City of Burien
City of SeaTac
ANGLE LAKE
City of Normandy Park
DES MOINES BEACH
DES MOINES MARINA
PUGET
SOUND
ZENITH
City of Kent
WOODMONT BEACH
STAR LAKE
City of Federal Way
POVERTY BAY
REDONDO
Attachment 5
City of Des Moines
Washington
City of Des Moines
Transportation and Engineering
Preventative Maint. Projects By Year
2008
2009
2010
2011
2012
2013
Des Moines City Limits
Des Moines Street Network
King County Streets
Jurisdictions
Normandy Park
Burien
SeaTac
Kent
Federal Way
Unincorporated King County
King County
City of Des Moines
Scale in Feet
N
W
E
S
Planning, Building &
Public Works
21650 11th Ave S
Des Moines, WA 98198-6398



Attachment 6



City of Des Moines
Washington

City of Des Moines

Transportation and Engineering

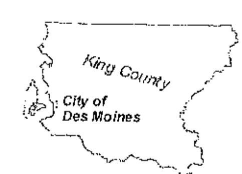
Overlay w/ Light Patching Projects By Year
- 2008
- 2009
- 2010
- 2011
- 2012
- 2013
- 2014
- 2015
- 2016
- 2017
- 2018
- 2019

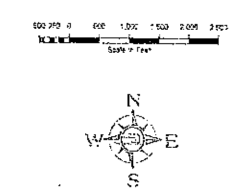
Des Moines City Limits

Des Moines Street Network

King County Streets

Jurisdictions
- Normandy Park
- Burien
- SeaTac
- Kent
- Federal Way
- Unincorporated King County





Planning, Building & Public Works
21650 11th Ave S
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http://www.desmoinesnwa.gov

TECHNICAL MEMORANDUM

KPG 753 9th Avenue North
Seattle, WA 98109
SEATTLE • TACOMA Phone: 206.286.1640 Fax: 206.286.1639
ENGINEERS • ARCHITECTS • LANDSCAPE ARCHITECTS • SURVEYORS

Date: July 23, 2008

To: Dan Brewer, P.E.
Assistant Planning, Building, and Public Works Director
Transportation and Engineering
City of Des Moines, Washington

From: Nelson Davis, PE, KPG

Re: Recommendations for 2009-2011 Pavement Management Program

INTRODUCTION

This technical memo presents the results of our engineering evaluation and analysis for the City of Des Moines pavement management program years 2008-2013. The primary focus of this report is to identify specific roadway segments throughout the City to be included in the 2009-2011 program years. The study analysis included the following major items of work:

- Collection of 2008-2013 pavement management data
- Field review of all 2008-2013 roadway segments identified
- Development of an overlay cost model based on recent bid results
- Development of budget level cost estimates by segment
- Prioritization of specific 2009 – 2011 overlay and maintenance projects

Two alternative strategies were used to determine our conclusions while considering cost and pavement condition index (PCI) values as defined by computer generated maintenance year.

BACKGROUND INFORMATION

The project location under analysis covers the entire City of Des Moines, Washington. The City provided KPG with a series of figures that identify preliminary roadway segments by maintenance year, 2008-2013 based on PCI values for each segment and very general cost information. These segments are also categorized by improvement type: overlay, overlay with light patching, and roadway reconstruction. Additional figures illustrate historical overlay projects between the years 1997-2007. These figures are located in Appendix A.

SITE RECONNAISANCE

For project efficiency, data organization, and roadway segment selection, 13 city zones were developed. The zones represent residential and commercial areas that are generally defined by a major road such as an arterial. This method also generally illustrates locations of previous pavement management focus. Each zone is outlined in green on the maps contained in Appendix B.

Spreadsheets were developed listing each roadway segment under consideration (organized by zone) and the associated calculated year for improvement. Cost input and site data fields are also provided to allow for complete data entry into one document. Data collection spreadsheets are included in Appendix C.

A site visit to each roadway segment identified on the City provided figures was performed to visually verify maintenance classification and to document basic rehabilitation needs. Approximate roadway length, width, percentage of roadway requiring patching, and percentage requiring reconstruction were the attributes noted. Additional information was obtained such as descriptive indication of roadway grade, potential use of geotextile in rehabilitation, presence of curb and gutter, general pavement condition, and potential candidate for chip seal. This information is illustrated on the spreadsheets located in Appendix C.

In obtaining site information relating to percentage of roadway requiring patching and reconstruction, broad surface distress indicators were used subjectively based on engineering judgment. The indicators consisted of the following:

1) Pavement fracture (surface cracks without signs of sub-grade failure).
2) Pavement distortion such as rutting.
3) Pavement disintegration such as raveling.
4) Subgrade failure.

COST ESTIMATE AND BUDGET DATA

Within the summary spreadsheets located in Appendix C, estimated preliminary construction costs associated with each roadway segment are provided. The estimated costs are based on actual recent bid tabulations from the City of Des Moines 2007 Arterial Maintenance Project and City of Tukwila 2007 and 2008 Overlay Programs.

The bid tabulations were broken down to establish a cost model for budgeting purposes. Based on these bid results, overlay costs for each roadway segment under consideration were calculated on the following square foot basis:

- Overlay — $1.26 / square foot
- Pavement Repair (patching) — $8.53 / square foot
- Reconstruction — $11.41 / square foot

In addition to the overlay and repair costs, 24.1% was added to the total to account for general contract conditions such as mobilization, traffic control, and temporary erosion and sediment control. Additionally, a 30% contingency was used to account for engineering, inflation over the 3 year study period, as well as miscellaneous project costs associated with this preliminary analysis. It should be noted that due to the extremely volatile oil prices and the effect on asphalt price, construction cost should be reviewed each year and updated.

An estimated annual budget of approximately $1.3 million was used for the purposes of selecting roadway segments. Roadway segments were selected to meet the estimated budget while maintaining maintenance type diversity. It can be noted that the total estimated construction cost for years 2008-2013 is approximately $15.2 million. This demonstrates an annual budget of approximately $2.6 million is needed to complete all of the projects identified within the 2013 time frame.

2009-2011 Pavement Management Analysis

2009-2011 roadway segment selection was based on estimated construction cost, calculated roadway segment maintenance year, project location and available annual budget. The roadway segment computer generated maintenance year and location were both used in 2009-2011 program selection. First, segments with an earlier maintenance year were categorized with a higher priority. Next, the segments were categorized by location that resulted in adjacent road groupings. The final project selection was then determined allowing for an average PCI value to be maintained with consideration to potential cost savings for localized construction groupings.

The two generated alternatives, which are not all-inclusive of the many combinations of roadway segments possible, illustrate the most common approaches. Both of these alternatives are included in Appendix B.

The recommended approach identifies roadway segments based on similar geographical location to provide a potential construction cost savings and to provide continuous maintenance between adjacent roadways. The primary advantage of the geographical groupings shown in the recommended approach is reduced mobilization and efficiency in coordinating paving work. This generally results in lower bid prices and consistent appearance throughout the neighborhood. Specific roadway segments were selected based on cost, condition, and to prioritize areas that have received less maintenance in recent years.

The alternative approach, illustrates the selection of roadway segments that have been chosen to provide improvements in a number of zones that have had minimal maintenance activity in recent years. This approach spreads the work out throughout the City in an effort to serve more areas on an annual basis. This is a common strategy by local municipalities; however, inefficiencies in coordinating paving crews generally result in higher bid prices.

RECOMMENDATIONS AND CONCLUSIONS

The recommended approach for roadway segment selection for the 2009-2011 pavement management program emphasizes geographical groupings as shown in Appendix B. As mentioned previously, this approach selects roadway segments within the same geographical area to allow for potential construction cost savings and continuous improvements between segments.

As the pavement management program enters the design phase for each year, construction costs and improvement recommendations should be reviewed and updated based on available funds and current construction cost. As individual roadway segments are designed, flexibility should be allowed in order to add, remove, and modify the annual program list. Final design should incorporate cost saving options over full roadway overlay where appropriate, but may also require additional costs for ADA upgrades or curb and sidewalk repairs..

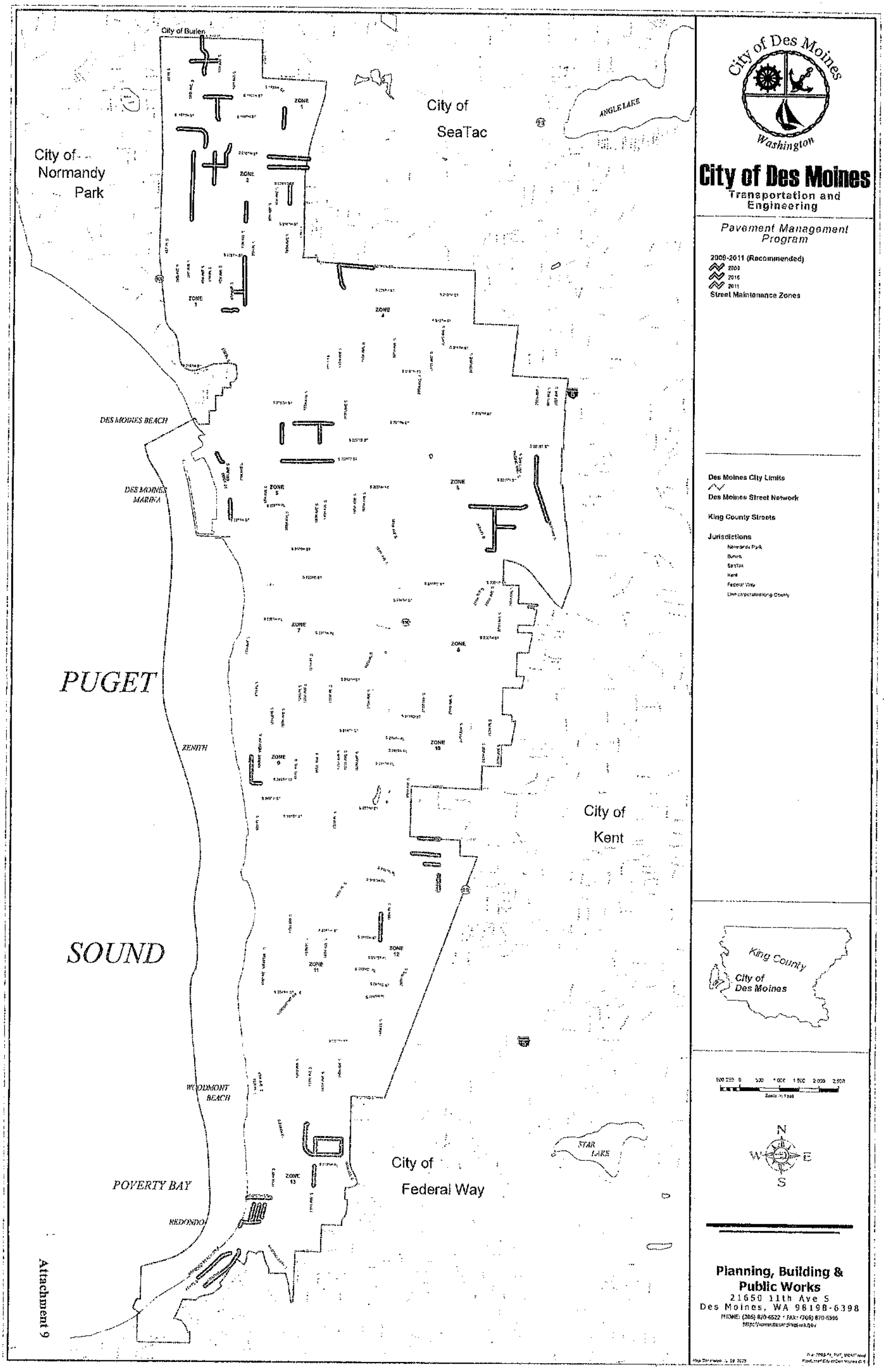
We hope this information is sufficient to meet your current needs. Please feel free to contact me at (206) 267-1031 if you have questions or would like additional information.

Sincerely,
KPG

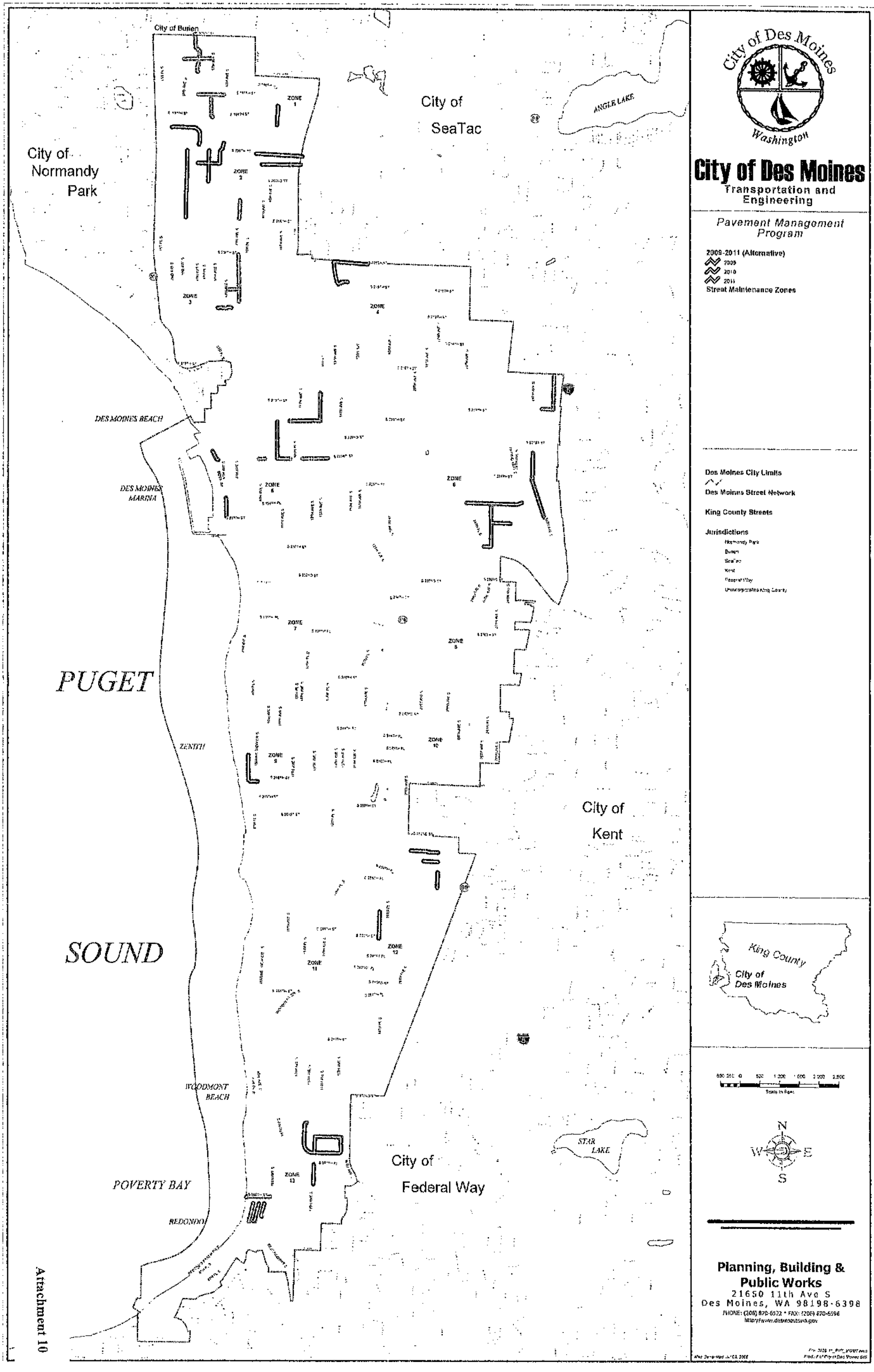
Nelson Davis, PE
Project Manager

REFERENCES

1) WSDOT Pavement Guide. 2005. University of Washington. 30 June 2008. <http://training.ce.washington.edu/PGI/>



Attachment 9



Attachment 10

AGENDA ITEM

BUSINESS OF THE CITY COUNCIL
City of Des Moines, WA

SUBJECT: Des Moines Commute Trip Reduction (CTR) Plan	FOR AGENDA OF: October 30, 2008
ATTACHMENTS:	DEPT. OF ORIGIN: Planning, Building & Public Works
Attachment 1: Des Moines CTR Plan	DATE SUBMITTED: October 20, 2008
Attachment 2: Chapter 16.16 Redline	CLEARANCES: [X] Planning, Building & Public Works ___ [X] Legal ___
Attachment 3: CTR Board Approval Memorandum	APPROVED BY CITY MANAGER FOR SUBMITTAL: ___

Purpose and Recommendation

The purpose of this agenda item is to brief Council on update to the City of Des Moines Commute Trip Reduction Plan as required by RCW 70.94.521.

A public hearing to consider draft Ordinance No. 08-242 is scheduled for November 20, 2008. No formal Council action is required at this meeting.

Background

In 1991, the Washington State Legislature passed the Commute Trip Reduction (CTR) Law (RCW 70.94.524 - 551) requiring employers to work with employees to reduce the number and length of drive-alone commute trips made to the worksite. The CTR Law was adopted as part of the Washington Clean Air Act. The purpose of the law is to reduce air pollution, traffic congestion and energy consumption.

In the State of Washington, carbon dioxide (CO_2) emissions are the largest source of greenhouse gas emissions. The transportation sector—including on-road vehicles, ships, trains and planes—contributes fully one-half of the greenhouse gases emitted in the Puget Sound region. In 1988, King County alone generated 370,000 tons of carbon. From 1999 to 2003, greenhouse gas emissions in King County increased from 21.4 million metric tons of CO_2 equivalents (MTCO2e) to about 23 million MTCO2e (Metropolitan King County Countywide Planning Policies Benchmark Program, September 2007).

The CTR Law requires major employers to develop and implement a commute trip reduction program. The program must be designed to meet the commute trip reduction goals set for the employer's commute trip reduction zone. The employer must submit an annual employer program report to the local jurisdiction for review and approval. Every two years, the employer must conduct an employee commute survey or supply equivalent data showing their progress toward the commute trip reduction goals. If the employer does not meet the reduction goals, the jurisdiction can require the employer to modify its program.

A major employer is a public or private employer, including state agencies, that employs 100 or more full-time employees at a single worksite who are scheduled to begin their regular workday between 6 a.m. and 9 a.m. on weekdays for at least twelve continuous months during the year.

The 1991 CTR Law established the following commute trips reduction goals:

15% by 1995 (or within two years of becoming affected by law)
25% by 1997 (or within four years of becoming affected by law)
35% by 1999 (or within six years of becoming affected by law)

In 1996, the CTR Law was reviewed by CTR-Law affected employers throughout the state. Based on their input and feedback, a number of revisions were made to the Law, one of which was the revision of CTR goals. On July 28, 1997, the goals of the CTR Law were revised to the following:

15% by 1995 (or within two years of becoming affected by law)
20% by 1997 (or within four years of becoming affected by law)
25% by 1999 (or within six years of becoming affected by law)
35% by 2005 (or within twelve years of becoming affected by law)

In 2006, the legislature changed the CTR law by passing the CTR Efficiency Act (RCW 70.94) which requires local governments in those counties experiencing the greatest automobile-related air pollution and traffic congestion to develop and implement plans to reduce single-occupant vehicle trips. The purpose of the new rules is to tie the CTR goals with the land use planning process. The new rules require local jurisdictions to draft a new CTR plan and ordinance. Furthermore, it requires a revision to the Comprehensive Plan to include the local CTR plan.

The state legislature provided $750,000 in FY 2007 for WSDOT to provide to Regional Transportation Planning Organizations (RTPOs) and local jurisdictions to develop the local and regional CTR plans. Des Moines contracts with King County for support in implementing the CTR law and communicating with our employers.

Discussion

During the summer of 2007, the City of Des Moines in collaboration with King County prepared a CTR Plan (Attachment 1) to meet the requirements of the CTR Efficiency Act (RCW 70.94.521). Des Moines CTR Plan is based on a "model" CTR plan and ordinance developed by WSDOT and used by the majority of jurisdictions in King County.

The Commute Trip Reduction Plan is a collection of adopted goals and policies, facility and service improvements and marketing strategies about how Des Moines will help make progress for reducing drive alone trip and vehicle miles traveled over the next four years. Currently, Des Moines has two CTR work sites – City Hall and Highline Community College. Building upon the existing commute trip reduction program, Des Moines will strive to meet the goals of the plan for the future by working in partnership and coordination with other agencies such as King County. Although the ordinance speaks to the city's authority, King County Metro supports Des Moines in implementing the CTR Plan through an interlocal agreement.

The proposed Plan has been developed through coordination with employers, transit agencies, organizations and individuals who helped identify strategies and ways for successful achievement of the goals. This plan helps to support the achievement of the vision and the goals of the Des Moines Comprehensive Plan as well as the Comprehensive Transportation Plan.

In summer 2007 Des Moines' CTR Plan was submitted to the Puget Sound Regional Council (the Metropolitan Planning Organization) and the CTR Board for review and certification. PSRC recommended approval of Des Moines' Plan during the fall of 2007 and the CTR Board approved the Puget Sound area CTR Plans in February 2008 (Attachment 2). Jurisdictions are expected to develop an ordinance to support their new CTR plan during 2008. A model ordinance was provided to CTR affected jurisdictions in May 2008. A CTR ordinance modifying Chapter 16.16 Commute Trip Reduction Plan of the Des Moines Municipal Code will be brought to Council for consideration in the coming weeks. A redline version of the changes to Chapter 16.16 DMMC is provided as Attachment 2.

Financial Impact

State CTR funds estimated at $16,129 have been allocated for King County METRO to administer Des Moines' CTR Plan for fiscal years 2008-2011 ($4,032 annually). Funds are intended to enhance Des Moines' CTR program and provide program assistance to CTR work sites.

Recommendation

Staff recommends Council approve the CTR Plan through adoption of Ordinance No. 08-242 on November 20, 2008.

Attachment 1

Washington State
Commute
Trip
Reduction

CITY OF DES MOINES
COMMUTE TRIP REDUCTION PLAN

Agency: **City of Des Moines**

Date: **October 2008**

TABLE OF CONTENTS

INTRODUCTION

COMMUTE TRIP REDUCTION PLAN

In 2006, the Washington State Legislature passed the Commute Trip Reduction Efficiency Act which requires local governments in those counties experiencing the greatest automobile-related air pollution and traffic congestion to develop and implement plans to reduce single-occupant vehicle trips. This plan has been prepared in accordance with RCW 70.94.521.

The Commute Trip Reduction Plan is a collection of adopted goals and policies, facility and service improvements and marketing strategies about how Des Moines will help make progress for reducing drive along trip and vehicle miles traveled over the next four years. Building upon the success of the existing commute trip reduction program, Des Moines strives to meet the goals of the plan for the future by working in partnership and coordination with other agencies.

The proposed Plan has been developed through extensive involvement by employers, transit agencies, organizations and individuals who helped identify strategies and ways for successful achievement of the goals. This plan helps to support the achievement of the vision and the goals of the Des Moines Comprehensive Plan.

Agency:	City of Des Moines
Department:	Planning, Building, and Public Works
Contact Person (Person Preparing CTR Plan):	Denise Lathrop, AICP Planning Manager
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Address 2:	
Jurisdiction:	Des Moines
State:	WA
Zip Code:	98198
Phone #:	206-870-6563
Fax #:	206-870-6544
Email Address:	dlathrop@desmoineswa.gov

I. ASSESSMENT OF THE LAND USE AND TRANSPORTATION CONTEXT

The purpose of this section is to describe the existing and planned land use and transportation context that affects Des Moines' ability to meet its goals for reducing drive alone trips and vehicle miles traveled. The information in this section has been prepared by using the Des Moines' existing comprehensive plan and other planning documents. Information on transit services and facilities has been prepared by Des Moines' respective transit agency.

REQUIRED INFORMATION

A. Location of CTR Work Sites.

See attached map of the jurisdiction and the locations of the CTR work sites.
The location of CTR affected sites can be described in two locations:

- City Hall Site- at 11th Avenue S and S 216th Street located near downtown. Multifamily residential, senior housing and single-family residential development characterize the existing and designated land use adjacent to the City Hall Site. A portion of Des Moines downtown neighborhood is also located within one quarter mile of the City Hall Site. Land use in the Downtown neighborhood includes commercial, business and multifamily residential uses.
- Highline Community College -- located off Pacific Highway S at 2400 S 240th Street. Single family residential, multi family residential, townhouse, and highway commercial uses are designated adjacent to the Highline Community College Site.

B. Identify Major Issues Regarding Land Use and Transportation Conditions Around CTR Work Sites or Work Site Cluster.

- The City of Des Moines has a limited amount of transit service for both its CTR affected sites, making it difficult for employees to utilize transit due to schedule conflicts (long waiting periods to transfer to different routes). A majority number of employees live within 4-5 miles of their CTR affected worksite. Lengthy waiting periods for bus transfers, make the transit mode undesirable for employees to consider. Additionally, the wide distribution of where employees reside, makes it difficult for employees to enroll in vanpool groups or to form carpools. As the college is the only large employer in the city with a significant employee population, it is difficult for employees to find a match of other commuters in the regional rideshare database.
- Existing and planned transportation facilities: Currently there are no transportation facilities at either CTR site.

Transit Facilities

The closest transit facility to the City of Des Moines is the Kent-Des Moines Park and Ride (P&R). This facility is located 1.2 miles from the Highline Community College CTR site and 2.5 miles from the City Hall site.

The Burien Transit Center is located 5.5 miles from the City Hall CTR site and 9.9 miles from the Highline Community College site. The Burien Transit Center provides transit connections to other employment centers throughout the Puget Sound region; however there are limited connections to either of Des Moines CTR sites.

Existing and Planned Transit Services and Facilities
Attached are three maps that reflect transit routes that are in proximity to the two CTR affected sites. These maps show peak/mid-day route services, frequency of service, bus stops located within a quarter mile radius, and transit facilities. The following routes are considered to service either of the CTR affected sites:

Route 121
Route 122
Route 131
Route132
Route166
Route175
Route191

Route 121-Provides all day service from downtown Seattle/ Burien/Normandy Park to Highline Community College/ downtown Des Moines. Service is 30 minutes from the mid-day to early evening.

Route 122 – Provides direct service from downtown Seattle/Burien Transit Center to Highline Community College/downtown Des Moines. Service is 30 minutes from 2:00pm to early evening.

Route 131 -- Service from downtown Seattle/Burien to Highline Community College/downtown Des Moines. Service is hourly and serves only morning and evening peak hours

Route 132 -- Service from downtown Seattle/Burien to Highline Community College/downtown Des Moines. Service is hourly and serves only morning and evening peak hours

Route 166 -- Service from Kent to Downtown Des Moines. This route stops at the City Hall site. This route provides all day, 30-minute service.

Route 177 – Two way directional service between Seattle/ SeaTac /Des Moines/Federal Way. Route 177 only serves Highline Community College via Pacific Highway S. Service is limited to late afternoon to early evening schedule. This route is not viable to address those employees that are affected by the CTR law.

Route 191 -- Two way directional service between Seattle/ SeaTac /Des Moines/Federal Way. Route 191 only serves Highline Community College via Pacific Highway S. Service is limited to late afternoon (4:30pm) to early evening schedule (6:30pm). This route is not viable service to address those employees that are affected by the CTR law.

The Kent/Des Moines Park and Ride is located outside the city boundary. It is served by 11 routes.

Planned Service to CTR Affected Companies
Highline Community College-King County Metro's Transit Now Plan (Transit Now) describes improvements to take place in 2009-2010. The most significant improvement is the Bus Rapid Ride (BRT) along Pacific Highway S. BRT along this corridor will be designed to operate between Federal Way and SeaTac. Frequencies of trips will be every ten minutes.

City Hall-Transit Now service improvements may involve improvements of east/west service from Kent to the Burien Transit Center. Those improvements would positively impact the Route 166. Timelines for this corridor improvement is not clear, potentially in 2010.

Service to CTR Affected Companies
City Hall CTR site is located three blocks from the downtown area. Routes 121,122,131, 132 primarily serve this area. Route 166 provides direct service to the City Hall Site and to existing and proposed business park uses located one-half mile east of this site along S 216th Street. It should be noted that despite the proximity to transit service, the schedules of connecting routes is problematic. Employees describe long waits to transfer from one route to another. Given the current level of service, this experience is common and therefore makes transit as the least likely mode choice for further drive alone trip reduction.

Highline Community College is located less than a quarter mile from Pacific Highway S. It is served by three Metro routes (Routes 122, 131 and 132). The following is a description of those routes:

Route 122 – This route is direct service from downtown Seattle/Burien Transit Center to Highline Community College/downtown Des Moines. Service is 30 minutes from 2:00pm to early evening. This route does not address those employees that start in the early morning

Route 131-Service from downtown Seattle/Burien to Highline Community College/downtown Des Moines. Service is hourly and serves only morning and evening peak hours

Route 132- Service from downtown Seattle/Burien to Highline Community College/downtown Des Moines. Service is hourly and serves only morning and evening peak hours

B. Transportation Context

Existing Transportation Network

The City of Des Moines is highly developed and has a well-established traditional (vehicular) transportation system. Most of major transportation corridors are oriented in a North-South and East-West grid pattern that serves the area well during most hours of the day. There are few opportunities to develop new corridors.

Existing Parking Conditions

Employee parking is provided free of charge at the City Hall Site. Parking is shared with City Hall and library patrons. There are no dedicated HOV spaces.

Highline Community College experiences a shortage of parking spaces in the morning and early afternoon hours. The college charges staff and facility $32 per quarter parking fees. Students are charged $32 or $20 per quarter depending on the number of credit hours taken. For those employees that arrive by carpool or vanpool, there are HOV spaces assigned.

C. Potential Actions for the Jurisdiction to Eliminate Barriers

Land Use

During 2008-09, the City will be updating the Downtown Element of the Comprehensive Plan. As part of this effort, the City will be evaluating opportunities for improving pedestrian circulation and connections throughout downtown and to other neighborhoods to the east via Kent-Des Moines Road, S 216th Street and Des Moines Creek Trail. Des Moines Creek Trail is a pedestrian and bicycle trail that will eventually connect to the City of SeaTac's trail system.

The City is also working with the Port of Seattle on the proposed Des Moines Creek Business Park (DMCBP) located one-half mile east of the City Hall CTR Site. DMCBP is estimated to create between 1,200 and 2,100 direct jobs thereby making CTR programs a priority for this area. Frontage improvements along S 216th Street and 24th Avenue S and the main spine road through the business park will include sidewalks and bike lanes, further enhancing connections to transit. It is anticipated that a connection from the business park to the Des Moines Creek Trail will also be provided as part of this project. Construction of DMCBP could begin as early as 2010.

Des Moines is currently working with the City of Kent to coordinate planning efforts for the Midway and Pacific Ridge areas along Pacific Highway South (SR-99) where our jurisdictional boundaries meet. The project includes a visioning process with stakeholders and community members that will help to guide future land use and regulatory planning in anticipation of the expansion of Pacific Highway South as a regional transit corridor by both King County METRO and Sound Transit. This joint planning effort is intended to result in work programs for both the Cities of Des Moines and Kent that may include a Subarea Plan, transit oriented development (TOD) overlay, transit center location/s, economic development strategies, Planned Action Ordinance and the possible designation of an Activity Center, depending on the needs of our individual jurisdictions. This work is being coordinated with key stakeholders such as WSDOT, Puget Sound Regional Council, Sound Transit, King County Metro, Highline Community College and other public agencies. In 2007, the cities were successful in securing grant funds from the Washington State Department of Community Trade and Economic Development to help cover the cost of community outreach, a new web site, and virtual reality software designed to help users view different development scenarios in 3-D.

I. ASSESSMENT OF THE LAND USE AND TRANSPORTATION CONTEXT

Transportation Facilities and Services

Pedestrian and bicycle improvements to Pacific Highway S from Kent-Des Moines Road to the vicinity of Highline Community College Site are nearing completion. Improvements will enhance pedestrian and HOV connections to and from this CTR site.

Des Moines Transportation Improvement Plan's proposed South 216th Improvement Project would add sidewalks to both sides of the street, install a bike lane and provide other improvements between Pacific Highway S and Marine View Drive. Although not fully funded, these phased improvements would result in enhance pedestrian and bicycle connections to and from the City Hall CTR site, the downtown neighborhood and the business park to the east. Construction is estimated for the 2010-2014 period.

Transit

Barrier: Most sites have limited number of transit routes that serve their location. See route description and employers served in Section - I. Assessment of Land Use and Transportation Context. The level of bus service improvements will not increase remarkably to those CTR affected employment sites in the near future.

Elimination of Barrier: In 2009 and 2010 there will be significant service improvements along Pacific Highway S with the implementation of BRT. This will assist Highline Community College to obtain their CTR drive alone reduction goals.

Barrier: It is difficult for employees to utilize transit due to schedule conflicts (long waiting periods to transfer to different routes). A majority number of CTR affected employees live within 4-5 miles of their employer. Lengthy waiting periods for bus transfers and lack of adequate shelters, make the transit mode undesirable for employees to consider.

Barrier: The wide distribution of where employees reside makes it difficult for employees to enroll in vanpool groups or to form carpools. As the college is the only large employer in the city, with a significant employee population, it is difficult for employees to find a match of other commuters in the regional rideshare database that have the City of Des Moines as a point of destination.

Elimination of Barrier: Continue to promote RideShare week and other Vanpool turnkey promotions. Aggressively promote RideShare Online (regional rideshare database) to employees. Seek to increase the number of registrants to increase the change for successful ridematches.

The City will also be exploring the FlexPass program as an option for improving commute trip reduction by employees.

Barrier: Use of the Sounder train from Seattle and Pierce County is restricted due to the lack of northbound/southbound trips. Also, there is extremely limited bus service from the Kent station to the City of Des Moines to get employees to their work sites.

Elimination of Barrier: With the advent of two new train trips in September 2007 and potentially four new northbound/southbound trips in 2008, it is possible that the train can become an effective HOV mode choice. Promoting VanShare as a viable option to provide connectivity between the Kent train station and CTR affected sites will be one of the primary strategies to obtain the ten percent reduction of drive alone trips by 2011.

Parking

New developments should provide adequate off-street parking to meet their needs. Develop and maintain regulations that foster balance between meeting the need for public parking and ensuring developers provide adequate parking to meet the demand generated by new development.

D. Review of Comprehensive Plan Policies

Des Moines Comprehensive Plan was updated in March 2006. Comprehensive Plan goals and policies that support CTR include:

- Promote a land use pattern, scale, and density that supports public transportation services and encourages people to walk and bicycle, as well as provide convenient and safe automobile usage.
- Encourage the use of high occupancy vehicles (bus, vanpool, train, and carpool) through both private programs and under the direction of Metro Transit.
- Promote reduced employee travel during the daily peak travel periods through flexible work schedules and programs that allow employees to work part-time or compress work schedules.
- Encourage employers to maintain and enhance their CTR programs that provide HOV incentives.
- In making funding decisions, consider transportation investments that support TDM approaches by providing alternatives to SOV, such as transit, bikeways and pedestrian paths.

I. ASSESSMENT OF THE LAND USE AND TRANSPORTATION CONTEXT

E. Planning Coordination

Des Moines' plan has been coordinated with the following agencies:

King County Metro	April-June 2007	CTR Plan Development
Des Moines Planning Agency	July 2007 & September 2008	CTR Plan Briefing
Des Moines City Council	October 2008	CTR Plan Briefing

I. ASSESSMENT OF THE LAND USE AND TRANSPORTATION CONTEXT

OPTIONAL INFORMATION

F. Broad Assessment of Jurisdiction's Existing and Planned Land use, Transportation and Transit Conditions

Land Use

Growth and development within Des Moines are influenced by activities outside the city, including: Seattle-Tacoma International Airport (STIA), regional economic trends, regional transportation systems and commuting patterns, regional development plans, development within bordering jurisdictions and state regulations. Des Moines is predominantly developed as a single family residential community, with multifamily and commercial development located in the Downtown/ Marina District, and along Pacific Highway, Interstate-5, and arterial streets, such as Kent-Des Moines Road.

Multifamily residential, senior housing and single-family residential development characterize the existing and designated land use adjacent to the City Hall Site. A portion of Des Moines downtown neighborhood is also located within one quarter mile of the City Hall Site and business park uses are located within one-half mile of the Site. Land use in the Downtown neighborhood includes commercial, business and multifamily residential uses.

Single family residential, multi family residential, townhouse, and highway commercial uses are designated adjacent to the Highline Community College Site. Commercial, mixed use development and high density residential uses are designated for the Pacific Ridge Neighborhood located about one-half mile to the north of this CTR site. The proximity of the higher density uses to the Highline Community College CTR Site and high capacity transit routes are supportive of the City's Comprehensive Plan goals aimed at reducing single-occupancy trips and promoting CTR programs.

Development of the Des Moines Creek Business Park is estimated to generate between 1,200 and 2,100 jobs making the business park eligible for designation as a CTR site.

Transportation

As discussed in Section I.D., the Des Moines Comprehensive Transportation Plan (CTP) identifies transit, carpooling, bicycles, pedestrians, rail systems, and intermodal systems as important components that to have been underutilized and underdeveloped in the past. CTP and Comprehensive Plan goals and policies support transportation demand management (TDM) measures such as car pooling, van pooling and flextime that reduce reliance upon single occupancy vehicles and minimize traffic congestion.

I. ASSESSMENT OF THE LAND USE AND TRANSPORTATION CONTEXT

Transit

As described in Section I of this CTR Plan, transit service to and from Des Moines is provided by the following King County Metro Transit routes:

Route 121
Route 122
Route 131
Route132
Route166
Route175
Route191

Parking

Public parking in residential neighborhoods and business districts in Des Moines is provided free of charge. Des Moines development standards are intended to ensure that adequate parking is provided for new residential and business development.

II. and III. BASELINE, GOALS AND TARGETS

City of Des Moines

The City of Des Moines goals are an aggregate, weighted average, of all the trips reduced city-wide by all CTR affected employees.

Area of Jurisdiction	2005 SOV Rate	2011 SOV Target Rate	2005 VMT	2011 Target VMT
City of Des Moines	84.2%	75.8%	11.48	9.99

Major Employers

Employer	2005 SOV Rate	2011 SOV Target Rate	2005 VMT	2011 Target VMT
City of Des Moines	76.9%	69.2%	12.49	10.87
Highland Community College	85.2%	76.7%	11.34	9.87

Note: The City of Des Moines targets for drive alone trips and VMT reduction will be the same as the State of Washington minimum reduction goals- a ten percent reduction in drive alone rates and 13% reduction of VMT from a 2005 baseline survey.

IV. DESCRIPTION OF PLANNED LOCAL SERVICES AND STRATEGIES FOR ACHIEVING THE GOALS AND TARGETS

The Jurisdiction proposes to implement the following elements as part of its Commute Trip Reduction plan. Implementation of the elements will be done in partnership and coordination with other agencies. Listed below are the following planned local services and strategies for achieving the established goals and targets for 2011:

A. Policies and Regulations (☐ N/A)

The Jurisdiction has identified the following policies and regulations that will be updated and will help reduce drive alone trips and vehicles miles traveled. The proposed changes and their scheduled adoption date are listed below.

1. Comprehensive plan policies (☐ N/A)

In addition to the existing Comprehensive Plan policies, the jurisdiction is considering revising and/or adding the following policies that will strengthen Des Moines' policies for supporting Commute Trip Reduction:

- In 2008, Transportation Element policies will be updated to reflect the addition of concurrency management strategies and updates to parking, commute trip reduction, and transportation demand management policies. Policy changes identified as part of the Comprehensive Transportation Plan update (see Section IV.A.5 of this CTR Plan) will be incorporated into the Transportation Element as appropriate.

2. Land use regulations (☐ N/A)
(*Identify proposed land use changes*)

- During 2008-09, Des Moines will be evaluating the land use development regulations for the Downtown Neighborhood to determine whether opportunities exist for making modifications that will help foster economic development and increase job and housing capacity and facilitate jobs to housing balance.

3. Zoning code regulations (☐ N/A)
(*Identify proposed changes to the Jurisdiction's zoning code such as parking codes, design standards, etc.*)

- Des Moines is in the process of reviewing and updating its zoning code. This work effort will incorporate changes to parking standards, street design standards and design guidelines as part of the work activities identified in Sections IV.A.1-5 of this CTR Plan.

4. Street design standards (☐ N/A)
(*Identify proposed changes to the Jurisdiction's street standards, including pedestrian and bicycle design guidelines*)

During the summer and fall of 2008, the City will be updating its street design and construction standards. Elements of the plan will address bicycle facilities (classification, signing and striping), HOV lanes, sidewalks, trails, lighting and streetscape.

During the 2008-09 time periods, the City will be evaluating land use and economic conditions in the Downtown/Marina District. As part of this effort, the City will develop concepts for way finding, streetscape improvements and related products, for the Des Moines' Downtown/Marina District. A primary goal for this project will be to integrate and connect the downtown and waterfront areas of the City.

Key planning activities that will implement the City's CTR program include:

- Design development drawings and preliminary cost estimates to create a walkable Downtown/Marina District showing the application of design guidelines to general streetscape improvements, and complete an overall streetscape to include: entryways, landmarks, tourism kiosks, open space, plazas, landscaping, locations of car, tour bus and RV parking, bus shelters and pedestrian amenities (benches, sidewalk lighting, bike racks, trash receptacles, shelters).
- Develop signage design to define and show vehicle, transit and pedestrian connections from major transportation corridors: I-5, Pacific Highway, SR 518, SR 509, Des Moines Memorial Drive, South 216th Street, Kent-Des Moines Road, to the Downtown/ Marina District located between Marine View Drive South and the Des Moines Marina and Des Moines Beach Park and from Kent-Des Moines Road and South 227th Street to South 216th Street at Des Moines Memorial Park.

5. Concurrency regulations (☐ N/A)
(*Identify proposed changes to the Jurisdiction's concurrency requirements*)

- Des Moines is in the process of updating its Comprehensive Transportation Plan at which time the City is reevaluating and updating concurrency regulations.

B. Services and Facilities

As part of its capital improvement program, Des Moines is planning the following improvements that will help reduce drive alone trips and vehicle miles traveled. In addition to the City's investments, Des Moines is working with its transit agency partners to improve transit services and facilities.

Note: If the transit agency will be implementing services and/or facilities, the jurisdiction should attach a letter of commitment from the transit agency stating that it will follow through within the planned time frame.

Elements that are being planned and/or being implemented include:

1. High occupancy vehicle lanes (☒ N/A)

2. Transit services (☐ N/A)
   - Transit Now includes proposed improvements to core service connections and high ridership corridors. This may include improvements of east/west service from Kent to the Burien Transit Center. Additionally, in 2010 Bus Rapid Transit will run along Pacific Highway S. This service will operate between Federal Way and SeaTac

3. Vanpool services and vehicles (☐ N/A)
   - Continue to market vanpool services and coordinate with employers and employees to expand both vanpool and VanShare services. Given the additional train trips planned for Kent Station in September 2007 and additional trips in 2008-2009, VanShare will be a large component of determining how the City of Des Moines will strive to obtain the 10% reduction in drive alone trips to CTR affected work sites.

4. Ride matching services (☐ N/A)
   - Continue to promote Rideshare Online to CTR affected companies and their employees.

5. Car sharing services (☐ N/A)
   - Aggressively work with CTR affected employers to encourage increases to existing carpool subsidies. Also, encourage adoption of new carpool incentives that encourage SOV employees to try carpooling for the first time (Carpool Joining Incentive). Encourage KC/Metro to continue to use 50/50 grant matching programs that provide seed dollars to employers willing to expand car sharing programs.

6. Transit facilities (☐ N/A)
   - Develop design guidelines for general streetscape improvements, including bus shelters, as part of the Downtown planning process. Evaluate opportunities to locate a transit center in the downtown neighborhood.
   - Des Moines is evaluating potential locations to site a future transit center along Pacific Highway S to support proposed redevelopment in the area. It is anticipated that this transit center would be coordinated with Sound Transit, Metro and other public agencies.

7. Bicycle and sidewalk facilities (☐ N/A)
   - The Storefront Studio Project developed a Marina District Enhancement plan that included ideas and recommendations to create a walkable Downtown/Marina District. This work, coupled with the updated street standards will provide the City with a road map of where to prioritize future improvements related to the development and improvement of sidewalk and bicycle facilities.

8. Other (☒ N/A)

C. Marketing and Incentives

The Jurisdiction plans to implement the following marketing and incentive programs that will help reduce drive alone trips and vehicle miles traveled.

☒ Employer outreach (☐ N/A)
- Continue outreach via the established CTR/TDM programs

☒ Area wide promotions (☐ N/A)
- Continue to encourage employers to participate in Rideshare week. "Fill It Up" (a promotion to encourage vanpool ridership), and/or turnkey campaigns. Offer additional incentives to those Employer Transportation Coordinators (ETC) that participate and offer the promotion

☒ Transit pass discounts (☐ N/A)
- Promote King County Metro transit pass (FlexPass) when appropriate. In the future, assist employers with the transition for traditional pass products to the new regional ORCA card for employers.

☐ Parking cash-out programs (☒ N/A)

☐ Carpool subsidies (☒ N/A)

☐ Parking charges and discounts (☒ N/A)

☐ Preferential parking (☒ N/A)

☒ Flexible work schedules (☐ N/A)

- Encourage continued use or expand use of Alternate work weeks with CTR affected employers.

☐ Program to allow employees to work at home or a closer worksite (☒ N/A)

☐ Individualized marketing programs (☒ N/A)

☐ Neighborhood social marketing programs (☒ N/A)

-

☐ Other (☒ N/A)

D. Special Programs for Mitigation of Construction Activities (☒ N/A)

The Des Moines Creek Business Park and several downtown development projects present opportunities to use the CTR program to help mitigate the impacts of the construction activities.

Strategies for mitigating the impacts include the following elements: **(☒ N/A)**

- Work collaboratively with developers and the Port to review opportunities for establishing additional CTR sites.

E. Schedule for Implementing Program Strategies and Services

The jurisdiction has identified the following schedule for implementing the CTR program strategies and services. The agency responsible for implementing the strategy or service is also listed.

IV. DESCRIPTION OF PLANNED LOCAL SERVICES AND STRATEGIES FOR ACHIEVING THE GOALS AND TARGETS

Program Strategy or Service	Agency Responsible	Scheduled Date for Implementation
Policies and Regulations		
Downtown Design Guidelines	Des Moines	2008-09
Update Street Standards	Des Moines	2008-09
Comprehensive Plan City Code/Zoning	Des Moines	2007-09; as needed
Comprehensive Transportation Plan Update	Des Moines	2008-09
Pacific Highway S Land Use and Transportation Planning	Des Moines	2008-09
Services and Facilities		
Transit Now	Des Moines, KC Metro	Transit Now, 2010
Marketing and Incentive Programs		
Commuter Bonus vouchers, Rideshare Week, Bike to Work Day	KC Metro	2008; On-going
Construction Mitigation Programs		

V. REQUIREMENTS FOR MAJOR EMPLOYERS

The purpose of this section is to describe the jurisdiction's required contributions from major employers. Jurisdictions should identify what expectations that they have of major employers. The CTR Law specifies that major employers are required to provide four elements as part of their CTR programs. However, the local jurisdiction can opt to require additional elements in their CTR ordinances.

Required Element	Description
Designate Employee Transportation Coordinator	The Employee Transportation Coordinator is the point of contact between the employer and its workforce to implement, promote and administer the organization's CTR program. He/she is also the point of contact between the employer and the local jurisdiction to track the employer's progress in meeting CTR requirements
Regular Distribution of Information to Employees	Information about commute alternatives will be distributed regularly to employees. Examples of information that will be distributed will include: • Description of the employer's commute options program • Transit system maps and schedules • Vanpool rider alerts • Weekly traffic alerts • Wheel Options campaign promotional materials
Regular Review of Employee of Commuting and Reporting of Progress	The employer is required to complete the Employer Annual Report and Program Description Form and submit to the local jurisdiction. Every two years, the employer shall conduct a program evaluation to determine worksite progress toward meeting the CTR goals. As part of the program evaluation, the employer shall distribute and collect Commute Trip Reduction Program Employee Questionnaires (surveys) to achieve at least a 70 percent response rate.
Implementation of a Set of Measures	The employer is required to implement a set of measures that are designed to increase the percentage of employees using the following modes: • Transit • Vanpool • Carpool • Bicycle or walking • Telework • Other non-single occupant vehicle modes Measures to reduce drive alone trips and vehicle miles traveled include, but are not limited to:

	• Provision of preferential parking or reduced parking charges for high occupancy vehicles • Instituting or increasing parking charges for single-occupant vehicles • Provision of commuter ride matching services • Provision of subsidies for transit fares • Provisions of vans for vanpools • Provisions of subsidies for carpooling or vanpooling • Permitting the use of the employer's vehicles for carpooling or vanpooling • Permitting flexible work schedules • Cooperation with transportation providers to provide additional regular or express service to the worksite • Construction of special loading and unloading facilities for transit, carpool, and vanpool users • Provision of bicycle parking facilities, lockers, changing areas, and showers • Provision of a program for parking incentives such as a rebate for employees who do not use the parking facility • Establishment of a program to permit employees to work part or full time at home or at an alternative worksite closer to their homes • Establishment of a program of alternative work schedules such as compressed work week schedules • Implementation of other measures designed to facilitate the use of high-occupancy vehicles such as on-site day care facilities and emergency taxi services • Employers or owners of worksites may form or utilize an existing transportation management association or other transportation-related associations by RCS 35.87A.010 to assist members in developing and implementing commute trip reduction programs
Optional Elements	**Description**

VI. DOCUMENTATION OF CONSULTATION

This section describes the consultation process that was used to develop the local jurisdiction's Commute Trip Reduction plan. The plan was developed in consultation with the following organizations and individuals:

A. Local or County Jurisdiction (☐ N/A)

1. Department of Planning, Building and Pubic Works (☐ N/A)
   Contact: Denise E. Lathrop, AICP in coordination with Grant Fredricks (Director), Dan Brewer, P.E., Len Madsen, Rohini Nair and Ken Thomas
   Issues: Comprehensive Plan, Comprehensive Transportation Plan, 2007-2012 Transportation Improvement Plan, street standards, parking and concurrency management development activities

2. Department of Public Works (☒ N/A)
   Contact: Combined department with Planning, Building and Public Works
   Issues:

3. Department of Finance (☒ N/A)
   Contact: _____
   Issues: _____

4. Planning Commission (☐ N/A)
   Contact: Robert Ruth, Development Services Director
   Issues: Briefing to Planning Agency on CTR Plan on July 2, 2007 and September 8, 2008.

5. City or County Council (☐ N/A)
   Contact: Tony Piasecki, City Manager
   Issues: Briefing to City Council and Council Transportation Committee on CTR Plan and Ordinance in October 2008.

B. WSDOT (☐ N/A)
Contact: _____
Issues: _____

C. Regional Planning Organization (☐ N/A)
Contact: Kirste Johnson, Senior Planner, Puget Sound Regional Council (PSRC)
Issues: RTPOs are responsible for ensuring that local CTR plans are consistent with the CTR rules (Washington Administrative Code 468-63) and the regional CTR plan. PSRC reviewed Des Moines CTR Plan and recommended approval.

D. Neighboring Local Jurisdictions (☐ N/A)
Contact: _____
Issues: _____

E. Major Employers (☐ N/A)

Contact: _____
Issues: _____

F. Business Groups (☐ N/A)
Contact: _____
Issues: _____

G. Transit Agencies (☐ N/A)
Contact: Tim Apicella and Debbie Jaksich, King County
Issues: CTR plan development

H. Transportation Management Associations (☐ N/A)
Contact: _____
Issues: _____

I. Community Groups (☐ N/A)
Contact: _____
Issues: _____

J. Special Interest Groups (☐ N/A)
Contact: _____
Issues: _____

I. Individuals (☐ N/A)
Contact: _____
Issues: _____

Organization/Party	Meeting Date	Contact Person

VII. A SUSTAINABLE FINANCIAL PLAN

The Jurisdiction has prepared a financial analysis to identify revenues and expenses that are associated with Des Moines' Commute Trip Reduction Plan. The following is a description of the available funding sources that the Jurisdiction may use to implement its CTR Plan. After identifying the available funding sources, the Jurisdiction has identified the expenses which include program administration, training, employer assistance, policy and regulation development, promotional activities, transit and ridesharing services, and implementation of supporting facilities.

A. Funding Sources

1. WSDOT CTR grant (☒ N/A)

The WSDOT CTR Grant is the annual allocation that is given to jurisdictions to help them administer their CTR programs.

Describe: City of Des Moines will receive $4,032.28 for July 2007-June 2008 to implement the CTR law.

2. Local jurisdiction operating funds and capital investment program funds **(☒ N/A)**

Local jurisdictions resources include funds from their operating budgets and capital investment programs. Capital investment programs funds are usually earmarked for certain projects such as bicycle and sidewalk facilities, ITS equipment and road improvements.

Describe:

3. Federal funds (☒ N/A)

Federal funds include the grants from the Congestion Mitigation and Air Quality Improvement program, Surface Transportation Program, and the Federal Transit Administration.

Describe:

4. Employer contributions (☒ N/A)

These funding sources include contributions both financial and in-kind from employers.

Describe:

5. Other state funding sources (☒ N/A)

The funding sources include other state programs that provide assistance to programs that can contribute to helping make progress toward CTR goals. Funding sources may include the Safe Route to Schools Program, Competitive Public Transportation grants, etc.

Describe:
King County Metro provides a twelve month grant matching program for all CTR affected employers. Employers receive 50/50 dollar match that implement a new subsidy that pertain to either transit, vanpool, or carpool modes. Additionally, they will match dollar for dollar for any increase to existing subsidy that a company may already have in place.

6. Construction TDM funds (☐ N/A)

Funds may be available through construction mitigation programs. These programs can be used to enhance Des Moines' CTR program and provide program assistance to CTR work sites.

Source of Funding	Responsible Agency	Estimated Revenue FY 2008	Estimated Revenue FY 2009	Estimated Revenue FY 2010	Estimated Revenue FY 2011	Total Estimated Revenue
CTR State Funds	King County Metro CTR Services	$ 4,032.28	$ 4,032.28	$ 4,032.28	$ 4,032.28	$ 16,129.12
Other State Funds	WSDOT, CTED	$ 0.00	$ 0.00	$ 0.00	$ 0.00	$0.00
CMAQ Funds	RTPO	$ 0.00	$ 0.00	$ 0.00	$ 0.00	$0.00
Local Funds from Operating Budgets	Local Jurisdiction	$ 0.00	$ 0.00	$ 0.00	$0.00	$0.00
Capital Investment Program	Local Jurisdiction	$ 0.00	$ 0.00	$ 0.00	$ 0.00	$0.00
Transit Revenue	Transit Agency	$ 0.00	$ 0.00	$ 0.00	$ 0.00	$0.00
Employer Contributions	TMA or Local Jurisdiction	$ 0.00	$ 0.00	$ 0.00	$ 0.00	$0.00
Developer Contributions	Local Jurisdiction	$ 0.00	$ 0.00	$ 0.00	$ 0.00	$0.00
Mitigation Funds for Construction Projects	Local Jurisdiction	$ 0.00	$ 0.00	$ 0.00	$ 0.00	$0.00
TOTAL		$ 4,032.28	$ 4,032.28	$ 4,032.28	$ 4,032.28	$ 16,129.12

B. Program Expenses

1. Administration (☐ N/A)

Program administration includes activities such as identifying and notifying affected employers, reviewing employer progress reports, evaluating employer programs, coordination with neighboring jurisdictions and transit agencies, and preparing annual reports on the CTR program.

Agency:
Responsibility:

2. Facilities (☐ N/A)

Facilities include capital elements that help to reduce the number of drive alone trips. Elements include high occupancy vehicle lanes, bicycle lanes, sidewalks, transit signal priority improvements, and bus shelters.

Agency:
Responsibility:

3. Services (☐ N/A)

Services include elements that support transit and ridesharing. Elements include transit services, assistance with the formation of vanpools, car sharing and ride matching services.

Agency:
Responsibility:

4. Marketing (☐ N/A)

Marketing includes activities that help to promote and increase awareness of commute options among commuters and residents. Activities include the development and distribution of transit and ridesharing information, promotional campaigns, web sites to promote commute options programs, and outreach to employers.

Agency:
Responsibility:

5. Incentives (☐ N/A)

Incentives include transit pass discount programs, subsidies for vanpool programs, and other contributions to encourage employers to participate in commute options programs.

Agency:
Responsibility:

6. Training (☐ N/A)

Training includes activities for both employer and local jurisdiction staff. Training may include workshops on various topics to address CTR, attendance at conferences and other training opportunities that will help improve program performance.

Agency:
Responsibility:

Expense	Responsible Party	Estimated Cost FY 2008	Estimated Cost FY 2009	Estimated Cost FY 2010	Estimated Cost FY 2011	Total Estimated Cost
Prepare local CTR plan and ordinance	Des Moines and KC Metro	$ .00	$ .00	$ .00	$ .00	$ .00
Administer CTR program (contract management, annual reporting, survey process, coordination meetings)	Des Moines and KC Metro CTR Services	$ 4,032	$ 4,032	$ 4,032	$ 4,032	$ 16,129.12
Training	KC Metro Services	NA	NA	NA	NA	NA
Conduct employer outreach	KC Metro Services	NA	NA	NA	NA	NA
Implement supporting transit services		$ 0.00	$ 0.00	$ 0.00	$ 0.00	$ 0.00
Implement supporting transit facilities		$ 0.00	$ 0.00	$ 0.00	$ 0.00	$ 0.00
Implement supporting vanpool services	KC Metro Services	NA	NA	NA	NA	NA
Implement bicycle and pedestrian facilities		$ 0.00	$ 0.00	$ 0.00	$ 0.00	$ 0.00
Offer program incentives	KC/Metro partnership programs	$ 0.00	$ 0.00	$ 0.00	$ 0.00	$ 0.00
Car sharing services		$ 0.00	$ 0.00	$ 0.00	$ 0.00	$ 0.00
Conduct special area wide promotions	Contact via KC/Metro	$ 0.00	$ 0.00	$ 0.00	$ 0.00	$ 0.00
Prepare updates to Comprehensive Plans		$ 0.00	$ 0.00	$ 0.00	$ 0.00	$ 0.00
Total		$ 4,032	$ 4,032	$ 4,032	$ 4,032	$ 16,129.12

C. Financial Gaps

Service or Strategy	Target Market	What Strategy Will Accomplish	Financial Gap	Potential Funding Source
			$ .00	
			$ .00	
			$ .00	
			$ .00	

VIII. IMPLEMENTATION STRUCTURE

As part of its strategic plan for implementing the Commute Trip Reduction program, Des Moines plans to work in partnership with the transit agencies, neighboring jurisdictions, and if available, transportation management associations.

Listed below are the organizations that will be involved with the implementation of Des Moines' CTR Plan. Their roles and responsibilities are described as follows:

A. Local Jurisdiction (☐ N/A)

Local jurisdictions will be responsible for developing and implementing their local CTR plans. They are responsible for ensuring that CTR plans are consistent with their local comprehensive plans. As part of their CTR plans, local jurisdictions will set the goals and targets for the affected employers. For CTR program administration, local jurisdictions are responsible for ensuring that affected employers are in compliance with the CTR law. Local jurisdictions may contract with another agency for employer outreach, program review and annual reporting of employer progress.

Des Moines currently contracts with King County for assistance and consultation in meeting the requirements of the CTR law, employer outreach, program review and annual reporting of employer progress.

Roles

- Local jurisdictions will be responsible for developing and implementing their own local CTR plans.

Responsibilities

- They are responsible for ensuring that CTR plans are consistent with their local comprehensive plans. The City of Des Moines will set the goals for the CTR affected employers. For CTR program administration, The City will require that employers are in compliance with the CTR law. Local jurisdictions may contract with local agencies to implement CTR ordinance requirements.

  Des Moines currently contracts with King County for assistance in implementing the CTR ordinance requirements. King County provides assistance and consultation for employer outreach, program review and annual reporting of employer progress.

B. Contractor (☒ N/A)

Local jurisdictions may opt to hire a contractor to perform various services as part of the GTEC program. The jurisdiction should identify the contractor and their assigned responsibilities.

Roles

-

Responsibilities

-

C. Transit Agency (☐ N/A)

The transit agency will be responsible for providing transit and ridesharing services to the major employers. In some cases, transit agencies will also conduct employer outreach and be responsible for tracking employer progress.

Transit Agency is responsible for providing transit and ridesharing services within the City of Des Moines. This includes to employment sites (both CTR and non-CTR affected). Additionally, the transit agency is contracted to implement Des Moines CTR law to provide employer outreach, track survey results, and report SOV reduction progress.

Roles

- Transit service provider
- Capital facility provider
- Maintain transit capital facilities

Responsibilities

- Provide transit services to transit centers and employment sites as supported by local land use and growth targets established by GMA
- Provide rideshare services.
- Provide CTR affected employer outreach
- Responsible for tracking and reporting employee SOV progress
- Provide Park and Ride facilities, and other capital investments
- Develop and implement rideshare and transit promotions to encourage employee HOV usage.

D. Transportation Management Association (☒ N/A)

Transportation Management Associations will be responsible for conducting employer outreach activities, promoting and educating employees about drive alone options and administering special programs, i.e., transit discount programs, guaranteed ride home, etc. that will help affected employers make progress toward meeting their goals.

Roles

-

Responsibilities

-

E. Employer (☐ N/A)

The employer will be responsible for complying with the requirements of the State CTR Law. These requirements include designating an employee transportation coordinator, regular distribution of information to employees, regular review of employee commuting and reporting of progress to the local jurisdiction, and implementing a set of measures that will help achieve progress toward meeting goals.

Roles

- Communicate with the City of Des Moines as how the local and State CTR Law should be administered, progress measured and reported.

Responsibilities

- Implement all CTR program elements as described in employers CTR program
- Promote CTR program to employees
- Measure and report employee survey data every two years.

VIII. IMPLEMENTATION STRUCTURE

Based on the strategies and services that were identified in Section IV, the jurisdiction should identify the different tasks that are part of the CTR program and assign responsibility to the respective agency that will be performing the tasks. The following table has been provided to help jurisdictions identify the tasks, assign responsibility for completing the various tasks and indicate when the task will be completed.

Note: if the jurisdiction is planning on using a contractor to administer the CTR program on the behalf of the jurisdiction, the jurisdiction should identify name of the contractor

CTR Implementation Plan

Program Strategy or Service	Agency Responsible	Scheduled Date for Implementation
Policies and Regulations		
Downtown Design Guidelines	Des Moines	2008-09
Update Street Standards	Des Moines	2008-09
Comprehensive Plan City Code/Zoning	Des Moines	2007-09; as needed
Comprehensive Transportation Plan Update	Des Moines	2008-09
Pacific Highway S Land Use and Transportation Planning	Des Moines	2008-09
Services and Facilities		
Transit Now (10 year plan) Six Year Plan	King County Metro	Transit Now-2007 and in the future.
Marketing and Incentive Programs		
Rideshare Week, Bike to Work,	King County Metro/WSDOT	On-going promotions are twice yearly.
Construction Mitigation Programs		

King County is Des Moines' contractor for administering the City's CTR Plan and helping the City and CTR affected worksites develop and implement our CTR plans and meet the requirements of the CTR law.

IX. Growth and Transportation Efficiency Centers

NOTE: This section is only applicable to jurisdictions that are applying for a GTEC designation.

N/A

(INSERT MAP OF GTEC AREA)-NA

ATTACHMENT 2
Chapter 16.16 Commute Trip Reduction Plan (redline version)

Attachment 2 illustrates the required updates to Chapter 16.16 DMMC consistent with RCW 70.94.527. This includes new and/or revised definitions, changes to the process and requirements for implementing the CTR law, and revised organizational framework to be consistent with the guidelines established by the CTR Board. The following organization is recommended for consistency with the model CTR Ordinance:

Section 1. Definitions.
Section 2. Des Moines CTR Plan.
Section 3. CTR goals.
Section 4. Responsible agency.
Section 5. Applicability.
Section 6. Requirements for employers.
Section 7. Record keeping.
Section 8. Schedule and process for CTR Reports
Section 9. Enforcement.
Section 10. Exemptions and goal modifications.
Section 11. Appeals.

Highlighted notes are included to indicate new definitions, where text is being moved and cross-referencing between sections.

Chapter 16.16

COMMUTE TRIP REDUCTION PLAN

Sections

16.16.010 Definitions.

16.16.020 Commute trip reduction goals.

~~16.16.030 Designation of CTR zone and base year values.~~

16.16.040 Des Moines CTR ~~plan~~Plan. (Move to precede "Commute trip reduction goals")

16.16.050 Responsible agency.

16.16.060 Applicability.

~~16.16.070 Notification of applicability.~~(subsection of Applicability)

~~16.16.080 New affected employers.~~ (subsection of Applicability)

~~16.16.090 Change in status as an affected employer.~~ (subsection of Applicability)

16.16.100 Requirements for employers.

~~16.16.110 Description of employer's CTR program.~~ (subsection of "Requirements for employers")

~~16.16.120 Mandatory program elements.~~(subsection of "Requirements for employers")

16.16.130 Record keeping.

16.16.140 Schedule and process for CTR ~~program review~~reports.

~~16.16.150 CTR annual reporting date.~~(subsection of "Schedule and process for CTR program description and report" as amended)

~~16.16.160 Content of annual report.~~ (subsection of "CTR program report and description" as amended)

~~16.16.170 CTR program review.~~ (subsection of "Schedule and process for CTR program description and report" as amended)

~~16.16.180 Implementation of employer's CTR program.~~ (subsection of "Schedule and process for CTR program description and report" as amended)

16.16.190 ~~Requests for e~~Exemptions and goal modifications.

~~16.16.200 Modifications of CTR requirements.~~

~~16.16.210 Modification of CTR program elements.~~(subsection of "Schedule and process for CTR program description and report)

~~16.16.220 Extensions.~~

~~16.16.230 Credit for transportation demand management efforts.~~

~~16.16.240 Employer peer review group.~~

16.16.250 Appeals ~~of administrative decisions~~.

16.16.260 Enforcement. (move to precede "Exemptions and goal modifications")

16.16.010 Definitions.

(1) Use of Words and Phrases. As used in this chapter, unless the context or subject matter clearly requires otherwise, the words or phrases defined in this section shall have the indicated meanings.

(2) "Affected employee" means a full-time employee who begins his or her regular work day at a single worksite covered by the Commute Trip Reduction Plan between 6:00 a.m. and 9:00 a.m. (inclusive) on two or more weekdays ~~per week~~ for at least 12 continuous months who is not an independent contractor. Seasonal agricultural employees, including seasonal employees of processors of agricultural products, are excluded from the count of affected employees. ~~For the~~

~~purposes of this chapter, shareholders, principles, and associates in a corporation, partners (general or limited) in a partnership, and participants in a joint venture are considered employees.~~
(3) "Affected employer" means ~~a public or private employer that for 12 continuous months~~an employer that employs 100 or more full-time employees at a single worksite covered by the Commute Trip Reduction Plan who are scheduled to begin their regular work day between 6:00 a.m. and 9:00 a.m. (inclusive) on two or more weekdays for at least 12 continuous months. ~~The individual employees may vary during the year.~~ Construction worksites, when the expected duration of the construction is less than two years, are excluded from this definition. (Also see definition of employer.)
(4) "Alternative mode" means a type of commute transportation other than that in which the single-occupant motor vehicle is the dominant mode, including telecommuting and compressed work weeks if they result in reducing commute trips.
(5) "Alternative work schedules" means programs such as compressed work weeks that eliminate work trips for affected employees.
(6) "Base year" means the 12- month period which commences when a major employer is determined by the City to be participating within the CTR program. Des Moines uses this twelve-month period as the basis upon which it develops commute trip reduction goals. ~~from January 1, 1992 through December 31, 1992 on which goals for vehicle miles traveled (VMT) per employee and proportion of single-occupant vehicle (SOV) trips are based.~~
new definition – "Base year survey" or "baseline measurement" means the survey, during the base year, of employees at a major employer worksite to determine the drive-alone rate and vehicle miles traveled per employee at the worksite. The City uses this measurement to develop commute trip reduction goals for the major employer. The baseline measurement must be implemented in a manner that meets the requirements specified by the City.
new definition – "*Carpool*" means a motor vehicle, including a motorcycle, occupied by two to six people of at least 16 years of age traveling together for their commute trip, resulting in the reduction of a minimum of one motor vehicle commute trip.
(7) "Commute trips" means trips made from a worker's home to a worksite ~~with a regularly scheduled arrival time of 6:00 a.m. to 9:00 a.m.~~ (inclusive) on weekdays.
new definition – "CTR" is the abbreviation of Commute Trip Reduction.
(8) "CTR ~~plan~~Plan" means the ~~city~~City of Des Moines' plan as set forth in this chapter to regulate and administer the commute trip reduction (CTR) programs of affected employers within its jurisdiction.
(9) "CTR program" means an employer's strategies to reduce ~~affected~~ employees' drive alone commutes and average ~~SOV use and~~ VMT per employee.
~~(10) "CTR zone" means an area, such as a census tract or combination of census tracts, within the city characterized by similar employment density, population density, level of transit service, parking availability, access to high-occupancy vehicle facilities, and other factors that are determined to affect the level of SOV commuting.~~
(11) "Compressed work week" means an alternative work schedule, in accordance with employer policy, that regularly allows a full-time employee to eliminate at least one work day every two weeks by working longer hours during the remaining days, resulting in fewer commute trips by the employee. This definition is primarily intended to include weekly and biweekly arrangements, the most typical being four 10-hour days per week, or working 80 hours in nine days, but may also include other arrangements. ~~Compressed work weeks are understood to be an ongoing arrangement.~~

new definition – "*Custom Bus/Buspool*" means a commuter bus service arranged specifically to transport employees to work.
(12) "Dominant mode" means the mode of travel used for the greatest distance of a commute trip.
new definition – "*Drive Alone*" means a motor vehicle occupied by one (1) employee for commute purposes, including a motorcycle.
new definition – "*Drive Alone*" means a motor vehicle occupied by one (1) employee for commute purposes, including a motorcycle.
new definition – "*Drive Alone Trips*" means commute trips made by employees in single occupant vehicles.
new definition – "*Employee Transportation Coordinator (ETC)*" means a person who is designated as responsible for the development, implementation and monitoring of an employer's CTR program.
(13) "Employee" means a person who receives financial or other remuneration in exchange for work provided to an employer, including owners or partners of the employer.
(14) "Employer" means a sole proprietorship, partnership, corporation, unincorporated association, cooperative, joint venture, agency, department, district, or other individual or entity, whether public, non-profit, or private, that employs workers.~~a person whether public, nonprofit, or private, that employs workers.~~
new definition –"*Exemption*" means a waiver from any or all CTR program requirements granted to an employer by the City based on unique conditions that apply to the employer or employment site.
(15) "Flex-time" means an employer policy allowing individual employees ~~some~~ flexibility in choosing the start and end time~~,~~ but not the number~~,~~ of their working hours to facilitate the use of alternative modes.
(16) "Full-time employee" means a person, other than an independent contractor, whose position is scheduled ~~to be employed~~ on a continuous basis for 52 weeks per year for an average of at least 35 hours per week.
(17) "Good faith effort" means that an employer has met the minimum requirements identified in RCW 70.94.531 and this chapter and is working collaboratively with the ~~city~~City to continue its existing CTR program or is developing and implementing program modifications likely to result in improvements to its CTR program over an agreed upon length of time.
(18) "Implementation" means active pursuit by an employer of the CTR goals of RCW 70.94.521 through 70.94.~~551~~555, as presently constituted or as may be subsequently amended, and this chapter as evidenced by appointment of an employee transportation coordinator (ETC), distribution of information to employees regarding alternatives to ~~SOV~~ drive-alone commuting, and commencement of other measures according to their CTR program and schedule.
new definition –"*A major employer*" means a private or public employer, including state agencies, that employs one hundred or more full-time employees at a single worksite who are scheduled to begin their regular work day between 6:00 a.m. and 9:00 a.m. on weekdays for at least twelve continuous months.
new definition – "*Major employer worksite*" or "*affected employer worksite*" or "*worksite*" means the physical location occupied by a major employer, as determined by the local jurisdiction.

new definition –"*Major employment installation*" means a military base or federal reservation, excluding tribal reservations, or other locations as designated by the City, at which there are one hundred or more affected employees.

(19) "Mode" means the type of transportation used by employees, such as single-occupant motor vehicle, rideshare vehicle (carpool or vanpool), transit, ferry, bicycle, ~~and~~ walking, compressed work week schedule and telecommuting.

new definition – "*Notice*" means written communication delivered via the United States Postal Service with receipt deemed accepted three days following the day on which the notice was deposited with the Postal Service unless the third day falls on a weekend or legal holiday in which case the notice is deemed accepted the day after the weekend or legal holiday.

(20) "Peak period" means the hours from 6:00 a.m. to 9:00 a.m. (inclusive), Monday through Friday, except legal holidays.

(21) "Peak period trip" means ~~an employee~~ a commute trip that delivers the employee to begin his or her regular workday between 6:00 a.m. and 9:00 a.m. (inclusive), Monday through Friday, except legal holidays.

(22) "Proportion of ~~single-occupant vehicle trips~~Drive-Alone Trips" or "~~SOV rate~~ Drive-Alone Rate" means the number of commute trips over a set period made by ~~affected~~ employees in single-occupant vehicles (SOVs) divided by the number of ~~affected~~ potential trips taken by employees working during that period.

new definition –"*Ride Matching Service*" means a system which assists in matching commuters for the purpose of commuting together.

(23) "Single-occupant vehicle (SOV)" means a motor vehicle occupied by one employee for commute purposes, including a motorcycle.

(24) "Single-occupant vehicle (SOV) trips" means trips made by affected employees in single-occupant vehicles (SOVs).

(25) "Single worksite" means a building or group of buildings on physically contiguous parcels of land or on parcels separated solely by private or public streets or rights-of-way occupied by one or more affected employers.

(26) "Telecommuting" means the use of telephones, computers, or other similar technology to permit an employee to work from home, eliminating a commute trip, or to work from a work place closer to home, reducing the distance traveled in a commute trip by at least half.

new definition – "*Transit*" means a multiple-occupant vehicle operated on a for-hire, shared-ride basis, including bus, passenger ferry, rail, shared-ride taxi, shuttle bus, or vanpool.

new definition – "*Transportation Demand Management (TDM)*" means a broad range of strategies that are primarily intended to reduce and reshape demand on the transportation system.

(27) "Transportation Management Association (TMA)" means a group of employers or an association representing a group of employers in a defined geographic area. A TMA may represent employers within specific city limits, or may have a sphere of influence that extends beyond city limits.

new definition – "*Vanpool*" means a vehicle occupied by from five (5) to fifteen (15) people traveling together for their commute trip, resulting in the reduction of a minimum of one motor vehicle trip.

(28) "Vehicle miles traveled (VMT) per employee" means the sum of the individual vehicle commute trip lengths in miles made by ~~affected~~ employees over a set period divided by the number of ~~affected~~ employees during that period.

(29) "Waiver" means an exemption from CTR program requirements granted to an employer by the ~~city~~City based on unique conditions that apply to the employer or employment site.
(30) "Week" means a seven-day calendar period, starting on Monday and continuing through Sunday.
(31) "Weekday" means a day of the week except Saturday or Sunday. [Ord. 1264 § 1, 2000; Ord. 1006 § 1, 1993.]

16.16.020 Commute trip reduction goals.
~~The CTR goals for employers affected by this chapter are to achieve the following reductions in vehicle miles traveled per employee as well as in the proportion of SOV trips from the 1992 base year value of the city of Des Moines' CTR zone:~~
~~(1) Fifteen percent by January 1, 1995;~~
~~(2) Twenty percent by January 1, 1997;~~
~~(3) Thirty percent by January 1, 1999;~~
~~(4) Thirty-five percent by January 1, 2005. [Ord. 1264 § 2, 2000; Ord. 1006 § 2, 1993.]~~

(1) Commute trip reduction goals. The City of Des Moines' goals for reductions in the proportions of drive-alone commute trips and vehicle miles traveled per employee by affected employers in the City's jurisdiction, major employment installations, and other areas designated by the City are hereby established by Des Moines' CTR Plan incorporated by (*Section 2 above*). These goals establish the desired level of performance for the CTR program in its entirety in Des Moines.

The City will set the individual worksite goals for affected employers based on how the worksite can contribute to the City's overall goal established in the CTR Plan. The goals will appear as a component of the affected employer's approved implementation plan outlined in (*Section 6 below*).

(2) Commute trip reduction goals for affected employers.
(a) The drive-alone and VMT goals for affected employers in the City are hereby established as set forth in the CTR Plan incorporated by (*Section 2 above*).
(b) If the goals for an affected employer or newly affected employer are not listed in the CTR Plan, they shall be established by the City at a level designed to achieve the City's overall goals for the jurisdiction and other areas as designated by the City. Des Moines shall provide written notification of the goals for each affected employer worksite by providing the information when the City reviews the employer's proposed program and incorporating the goals into the program approval issued by the City.

~~**16.16.030 Designation of CTR zone and base year values.**~~
~~(1) Employers in the city are within the South King County Commute Trip Reduction Zone as established by the Puget Sound Regional Council.~~
~~(2) The base year value of this zone for proportion of SOV trips is 85 percent. The base year value for VMT per employee is set at 9.3 miles. Commute trip reduction goals for major employers are calculated from these values or site-based values established by a survey for the employment site, whichever is chosen by the employer. Therefore, the affected employers in the city of Des Moines shall establish a program designed to:~~

~~(a) Reduce the vehicle miles traveled per employee from the base year value established for the commute trip reduction zone in compliance with the goals specified by DMMC 16.16.020; and~~
~~(b) Reduce the proportion of single-occupant vehicle trips from the base year value established for the commute trip reduction zone in compliance with the goals specified in DMMC 16.16.020.~~
~~[Ord. 1264 § 3, 2000; Ord. 1006 § 3, 1993.]~~

16.16.040 Des Moines CTR ~~plan~~<u>Plan</u>.

The ~~city~~<u>City</u> CTR ~~plan~~<u>Plan</u> set forth in Attachment "A" is wholly incorporated in this chapter by reference. This plan may be amended by motion of the ~~city council~~<u>City Council</u>. [Ord. 1006 § 4, 1993.]

16.16.050 Responsible agency.

The ~~community development department~~<u>Planning, Building and Public Works Department</u> is responsible for implementing this chapter, the CTR ~~plan~~<u>Plan</u>, and the ~~city~~<u>City</u>'s CTR program for its own employees. The <u>Planning, Building and Public Works Director</u> ~~community development director~~ may issue such rules and administrative procedures as are necessary to implement this chapter. [Ord. 1006 § 5, 1993.]

16.16.060 Applicability.

The provisions of this chapter shall apply to an<u>y</u> affected employer ~~at a single worksite~~ within the city. ~~Employees are counted at their primary worksite only. The following classifications of employees are excluded from the counts of employees: (1) seasonal agricultural employees, including seasonal employees of processors of agricultural products, and (2) employees of construction worksites when the expected duration of the construction is less than two years.~~ [Ord. 1006 § 6(part), 1993.]

~~16.16.070~~<u>(1)</u> Notification of applicability.

~~(1) Known affected employers located in the city shall receive formal written notification by certified mail that they are subject to this chapter by February 27, 1993.~~
~~(2) Affected employers that, for whatever reason, do not receive notice by February 27, 1993, must identify themselves to the city by July 27, 1993. Once they identify themselves, such employers are granted 150 days within which to develop and submit a CTR program.~~
~~(3) Any existing employer of 75 or more persons who obtains a business license in the city, subsequent to January 28, 1993, is required to complete an employer assessment form as prepared by the community development director. The employer assessment form provides a way to determine whether or not an employer is deemed affected or non-affected in accordance with the provisions of this chapter. [Ord. 1006 § 6(1), 1993.]~~
<u>(a) In addition to the City's established public notification for adoption of an ordinance, a notice of availability of a summary of this ordinance, a notice of the requirements and criteria for affected employers to comply with the ordinance, and subsequent revisions shall be published at least once in the City's official newspaper not more than 30 days after passage of this ordinance or revisions.</u>
<u>(b) Affected employers located in the City are to receive written notification that they are subject to this ordinance. Such notice shall be addressed to the company's chief executive officer, senior official, CTR program manager, or registered agent at the worksite. Such notification shall</u>

provide 90 days for the affected employer to perform a baseline measurement consistent with the measurement requirements specified by the City.
(c) Affected employers that, for whatever reason, do not receive notice within 30 days of passage of the ordinance and are either notified or identify themselves to the City within 90 days of the passage of the ordinance will be granted an extension to assure up to 90 days within which to perform a baseline measurement consistent with the measurement requirements specified by the City.
(d) Affected employers that have not been identified or do not identify themselves within 90 days of the passage of the ordinance and do not perform a baseline measurement consistent with the measurement requirements specified by the City within 90 days from the passage of the ordinance are in violation of this ordinance.
(e) If an affected employer has already performed a baseline measurement, or an alternative acceptable to the City, under previous iterations of this ordinance, the employer is not required to perform another baseline measurement.

~~16.16.080~~(2) New affected employers.
(a~~1~~) Employers that meet the definition of "affected employer" in this chapter shall identify themselves to the ~~city~~City within ~~180~~ 90 days of either moving into the city or growing in employment at a worksite to 100 or more affected employees. Employers who do not identify themselves within 90 days are in violation of this ordinance.~~Once they identify themselves, such employers are granted 150 days to develop and submit a CTR program.~~
(b~~2~~) New affected employers identified as such shall be given 90 days to perform a baseline measurement consistent with the measurement requirements specified by the City. Employers who do not perform a baseline measurement within 90 days of receiving written notification that they are subject to this ordinance are in violation of this ordinance.~~have two years to meet the first CTR goal of a 15 percent reduction from the base year values identified in DMMC 16.16.030; four years to meet the second goal of a 20 percent reduction; six years to meet the third goal of a 30 percent reduction; and 12 years to meet the fourth goal of a 35 percent reduction. [Ord. 1264 § 4, 2000: Ord. 1006 § 6(2), 1993.]~~
(c) Not more than 90 days after receiving written notification of the results of the baseline measurement, the newly affected employer shall develop and submit a CTR Program to the City. The program will be developed in consultation with the Planning, Building and Public Works Director to be consistent with the goals of the CTR Plan adopted in [Section 2 above]. The program shall be implemented not more than 90 days after approval by the City. Employers who do not implement an approved CTR Program according to this schedule are in violation of this ordinance and subject to the penalties outlined in [Section 9.4] below.

~~16.16.090~~ (3) Change in status as an affected employer.
Any of the following changes in an employer's status shall change the employer's CTR program requirements:
~~(1) If an affected employer can document that it faces an extraordinary circumstance that will change its status as an affected employer, it can apply for a waiver under DMMC 16.16.190.~~
~~(2)~~ (a) If an employer initially designated as an affected employer no longer employs 100 or more affected employees and ~~has not employed~~expects not to employ 100 or more affected employees for the ~~past~~ next 12 months, that employer is placed on a 12-month watch and are subject to the same program requirements as other affected employers. At the end of the 12-

month watch, if they no longer employee one-hundred (100) affected employees, they are no longer an affected employer. It is the responsibility of the employer to provide documentation to the county that they are no longer an affected employer. It is the responsibility of the employer to notify the City that it is no longer an affected employer. The burden of proof lies with the employer.

~~no longer an affected employer. It is the responsibility of the employer to provide documentation to the city that substantiates it is no longer an affected employer.~~
(b) If the same employer returns to the level of one hundred (100) or more affected employees within the same twelve (12) months, that employer will be considered an affected employer for the entire 12 months and will be subject to the same program requirements as other affected employers.
(c~~3~~) If the same employer returns to the level of 100 or more affected employees 12 or more months after its change in status to an "unaffected" employer, that employer ~~is~~ shall be treated as a new affected employer, and ~~is~~ will be subject to the same program requirements as other new affected employers. [Ord. 1006 § 6(3), 1993.]

16.16.100 Requirements for employers.
An affected employer is required to make a good faith effort, as defined in RCW 70.94.534(2) and this chapter, to develop and implement a CTR program that will encourage its employees to reduce VMT per employee and ~~SOV~~ drive-alone commute trips. ~~The employer shall submit a description of its program and an annual progress report to the community development director on employee commuting, and the employer's progress toward meeting SOV goals.~~ The CTR program shall include the mandatory elements described below.~~, including submittal of CTR program description and annual progress report. Transportation management associations may submit CTR program descriptions and annual reports on behalf of employers; however, each employer shall remain accountable for the success of its program. [Ord. 1264 § 5, 2000; Ord. 1006 § 7(part), 1993.]~~

~~**16.16.110 Description of employer's CTR program.**~~
~~Each affected employer shall submit a description of its CTR program to the city on an official form available from the community development department. At a minimum, the employer's description shall include:~~
~~(1) General description of each employment site location within the city limits, including transportation characteristics, surrounding services, and unique conditions experienced by the employer or its employees;~~
~~(2) Number of employees affected by the CTR program;~~
~~(3) Documentation of compliance with the mandatory CTR program elements (as described in DMMC 16.16.120);~~
~~(4) Description of the additional elements included in the CTR program; and~~
~~(5) Schedule of implementation, assignment of responsibilities, and commitment to provide appropriate resources to carry out the CTR program. [Ord. 1006 § 7(1), 1993.]~~

~~16.16.120~~ (1) Mandatory program elements.
Each employer's CTR program shall include the following mandatory elements:
(a~~1~~) Employee Transportation Coordinator (ETC). The employer shall designate ~~a~~an ETC ~~transportation coordinator~~ to administer the CTR program. The ETC~~coordinator's~~ and/or

designee's name, location, and telephone number shall be ~~displayed~~ prominently displayed physically or electronically at each affected worksite. The ~~coordinator~~ ETC shall oversee all elements of the employer's CTR program and act as liaison between the employer and the ~~city~~City. The objective is to have an effective transportation coordinator presence at each worksite; ~~An~~an affected employer with multiple sites may have one transportation coordinator for all sites.

(b~~2~~) Information Distribution. Information about alternatives to ~~SOV~~ drive-alone commuting as well as a summary shall be provided to employees at least ~~twice~~ once a year and to new employees at the time of hire. The summary of the employer's CTR Program shall also be submitted to the City with the employer's program description and regular report.~~This shall consist of, at a minimum, a summary of the employer's program, including employee transportation coordinator's name and phone number. Employers shall also provide a summary of their program to all new employees at the time of hire. Each employer's program description and annual report shall describe what information is to be distributed by the employer and the method of distribution.~~

~~(3) Annual Progress Report. The CTR program shall include an annual review of employee commuting, and the employer's progress and good faith efforts toward meeting the SOV reduction goals. Affected employers shall file a progress report annually with the city. The report shall conform to the format specified by the community development director, and shall be consistent with the CTR Task Force Guidelines. The report shall describe the CTR measures in effect for the previous year, results of any commuter surveys undertaken, and the number of employees participating in CTR programs. Within the report, the employer shall evaluate the effectiveness of the CTR program, and may recommend modifications. Survey information or approved alternative information is required in the second, fourth, sixth, eighth, tenth and twelfth years following implementation.~~

(2~~4~~) Additional Program Elements.

~~(a)~~ In addition to the specific program elements described above, the employer's CTR program shall include additional elements as needed to meet CTR goals. Elements may include, but are not limited to, one or more of the following:~~a set of measures designed to meet CTR goals, as described in the city's administrative procedures.~~

~~(b) The employer's CTR program shall specify employer records that will be retained as required by this chapter. [Ord. 1264 § 6, 2000; Ord. 1006 § 7(2), 1993.]~~

(a) Provision of preferential parking for high-occupancy vehicles

(b) Reduced parking charges for high-occupancy vehicles;

(c) Instituting or increasing parking charges for drive alone commuters;

(d) Provision of commuter ride matching services to facilitate employee ridesharing for commute trips;

(e) Provision of subsidies for rail, transit, or vanpool fares and/or transit passes;

(f) Provision of vans or buses for employee ridesharing;

(g) Provision of subsidies for carpools, walking, bicycling, teleworking, or compressed schedules;

(h) Provision of incentives for employees that do not drive alone to work;

(i) Permitting the use of the employer's vehicles for carpooling or vanpooling;

(j) Permitting flexible work schedules to facilitate employees' use of transit, carpools, or vanpools;

(k) Cooperation with transportation providers to provide additional regular or express service to the worksite;
(l) Construction of special loading and unloading facilities for transit, carpool, and vanpool users;
(m) Provision of bicycle parking facilities, lockers, changing areas, and showers for employees who bicycle or walk to work;
(n) Provision of a program of parking incentives such as a rebate for employees who do not use the parking facilities;
(o) Establishment of a program to permit employees to work part- or full-time at home or at an alternative worksite closer to their homes which reduces commute trips;
(p) Establishment of a program of alternative work schedules, such as a compressed work week, which reduces commute trips;
(q) Implementation of other measures designed to facilitate the use of high-occupancy vehicles, such as on-site day care facilities, emergency taxi services, or guaranteed ride home programs;
(r) Charging employees for parking, and/or the elimination of free parking; and
(s) Other measures that the employer believes will reduce the number and length of commute trips made to the site.

(3) CTR Program Report and Description.
Affected employers shall review their program and file a regular progress report with the City in accordance with the format provided by the City.

The CTR Program Report and Description outlines the strategies to be undertaken by an employer to achieve the commute trip reduction goals for the reporting period. Employers are encouraged to consider innovative strategies and combine program elements in a manner that will best suit their location, site characteristics, business type, and employees' commuting needs. Employers are further encouraged to cooperate with each other to implement program elements.

At a minimum, the employer's CTR Program Report and Description must include:
(a) A general description of the employment site location, transportation characteristics, employee parking availability, on-site amenities, and surrounding services;
(b) The number of employees affected by the CTR program and the total number of employees at the site;
documentation on compliance with the mandatory CTR program elements (as described in *Section 6.18*);
(c) Description of any additional elements included in the employer's CTR program (as described in *Section 6.2*); and
a statement of organizational commitment to provide appropriate resources to the program to meet the employer's established goals.

(4) Biennial Measure of Employee Commute Behavior
In addition to the mandatory baseline measurement, employers shall conduct a program evaluation as a means of determining worksite progress toward meeting CTR goals. As part of the program evaluation, the employer shall distribute and collect Commute Trip Reduction Program Employee Questionnaires (surveys) at least once every two years, and strive to achieve at least a 70% response rate from employees at the worksite.

16.16.130 Record keeping.
Affected employers shall maintain ~~all records required by the community development director for the duration of this chapter. [Ord. 1006 § 8, 1993.]~~
a copy of their approved CTR Program Description and Report, their CTR Program Employee Questionnaire results, and all supporting documentation for the descriptions and assertions made in any CTR report to the City for a minimum of 48 months. The City and the employer shall agree on the record keeping requirements as part of the accepted CTR program.

16.16.140 Schedule and Process for CTR program ~~review~~description and report.
Not more than six months after the adoption of this chapter, or within six months after an employer becomes subject to the provision of this chapter, the employer shall develop a CTR program and shall submit to the ~~city~~City a description of that program for review. [Ord. 1006 § 9(1), 1993.]

(1) Document Review. The City shall provide the employer with written notification if a CTR program is deemed unacceptable. The notification must give cause for any rejection. If the employer receives no written notification of extension of the review period of its CTR program or comment on the CTR program or biennial report within 90 days of submission, the employer's program or annual report is deemed accepted. The City may extend the review period up to 90 days. The implementation date for the employer's CTR program will be extended an equivalent number of days.

(2) Schedule. Upon review of an employer's initial CTR program, the City shall establish the employer's regular reporting date. This report will be provided in a form provided by the City consistent with *(Section 6.3)* above.

(3) Modification of CTR Program Elements. Any affected employer may submit a request to the City for modification of CTR requirements. Such request may be granted if one of the following conditions exist:
(a) The employer can demonstrate it would be unable to comply with the CTR program elements for reasons beyond the control of the employer; or
(b) The employer can demonstrate that compliance with the program elements would constitute an undue hardship.

(4) **(Note:** Move "DMMC 16.16.220 Extensions" to here as amended)

~~16.16.150 CTR annual reporting date.~~
~~Employers are required to submit an annual CTR report to the city beginning with the first annual reporting date assigned during the initial program submittal. The annual reporting date shall be no less than 12 months from the day the initial program description is submitted. Subsequent years' reports are due on the same date each year. [Ord. 1006 § 9(2), 1993.]~~

~~16.16.160 Content of annual report.~~
~~The annual progress report shall describe each of the CTR measures that were in effect for the previous year, the results of any commuter surveys undertaken during the year, and the number~~

~~of employees participating in CTR programs. Survey information or approved alternative information shall be provided with reports every other year as determined by the community development director. [Ord. 1264 § 7, 2000: Ord. 1006 § 9(3), 1993.]~~

~~16.16.170 CTR program review.~~
~~The city shall provide the employer with written notification indicating whether a CTR program was approved or deemed unacceptable.~~
~~(1) Initial program descriptions are deemed acceptable if:~~
~~(a) All required information on the program description form is provided; and~~
~~(b) The program description includes the following information:~~
~~(i) Name, location, and telephone number of the employee transportation coordinator for each worksite;~~
~~(ii) Plan for and documentation of regular distribution of information to employees about the employer's CTR program at the worksite, including alternatives to driving alone to work;~~
~~(iii) Plan for and implementation of at least one additional measure designed to achieve the applicable goal.~~
~~(2) Annual reports are deemed acceptable if the annual report form is complete and contains information about implementation of the prior year's program elements and proposed new program elements and implementation schedule. Annual reports shall also contain a review of employee commuting and report of progress toward meeting SOV goals.~~
~~(3) Beginning in 1995:~~
~~(a) If an employer makes a good faith effort, as defined in RCW 70.94.534(2) and this chapter, and meets either or both the applicable SOV or VMT goal, the employer has satisfied the objectives of the CTR plan and will not be required to modify the CTR program.~~
~~(b) If an employer makes a good faith effort, as defined in RCW 70.94.534(2) and this chapter, but has not met or is not likely to meet the applicable SOV or VMT goal, the city shall work collaboratively with the employer to make modifications to the employer's CTR program. The employer shall submit a revised CTR program description to the city of Des Moines for approval.~~
~~(c) If an employer fails to make a good faith effort, as defined in RCW 70.94.534(2) and this chapter, and fails to meet either the applicable SOV or VMT reduction goal, the city shall work collaboratively with the employer to identify modifications to the CTR program and shall direct the employer to revise its program within 30 days to incorporate the modifications. In response to the recommended modifications, the employer shall submit a revised CTR program description, including the requested modifications or equivalent measures, within 30 days of receiving written notice to revise its program. The city shall review the revisions and notify the employer in writing of acceptance or rejection of the revised program. The employer shall submit a revised CTR program description to the city of Des Moines for approval. [Ord. 1264 § 8, 2000: Ord. 1006 § 9(4), 1993.]~~

~~16.16.180~~<u>(5)</u> Implementation of employer's CTR program.
<u>Unless extensions are granted, the employer shall implement its approved CTR program, including approved program modifications, not more than 90 days after receiving written notice from the City that the program has been approved or with the expiration of the program review period without receiving notice from the City.</u>~~The employer shall implement the approved CTR program not more than 180 days after the program was first submitted to the city unless~~

~~extensions allow for late implementation. Implementation of programs that have been modified based on non-attainment of CTR goals shall occur within 30 days following city approval of such modifications. [Ord. 1006 § 9(5), 1993.]~~

Note: Recommend moving "DMMC 16.16.260 Enforcement" here

16.16.190 ~~Requests for e~~Exemptions and goal modifications.
(1) Worksite Exemptions. An affected employer may request the city ~~approve~~ grant an exemption from all CTR program requirements or penalties for a particular worksite. The employer must demonstrate that it would experience undue hardship in complying with the requirements of this chapter as a result of the characteristics of its business, its work force, or its location(s).
~~(2)~~ An exemption may be granted if and only if
~~the~~ affected employer demonstrates that it faces extraordinary circumstances, such as bankruptcy, and~~:~~
~~(a) The employer would experience undue hardship in complying with the requirements of this chapter as a result of the characteristics of its business, its work force, or its location(s).~~
~~(b) The employer~~ is unable to implement any measures that could reduce the proportion of SOV trips and VMT per employee. Exemptions may be granted by the City at any time based on written notice.
~~(3) Requests for an exemption shall be made in writing.~~ The ~~request~~ notice should clearly explain the conditions for which the affected employer is seeking an ~~and hardships that justify approval of the requested~~ exemption from the requirements of the CTR program.
~~(4) Exemptions may be requested and approved at any time.~~ The city shall grant or deny the request within 30 days of receipt of the request. The city shall review annually all employers receiving ~~an~~ exemptions, and shall determine whether the exemption will continue to be in effect during the following program year. [Ord. 1264 § 9, 2000: Ord. 1006 § 10(1), 1993.]

~~16.16.200 Modifications of CTR requirements.~~
~~An affected employer may request an affected employee adjustment and/or a modification of program goals. Grounds for granting modification are limited to the following:~~
(~~1~~2) ~~Affected~~ Employee Exemptions~~Adjustment~~.
~~(a)~~ Specific employees or groups of employees who are required to drive alone to work as a condition of employment may be exempted from a worksite's CTR program. Exemptions may also be granted for employees who work variable shifts throughout the year and who do not rotate as a group to identical shifts. The city of Des Moines will use criteria ~~set forth in the~~identified in the CTR ~~Task Force~~Board Administrative Guidelines ~~and this chapter~~ to assess the validity of employee exemption requests. The city shall grant or deny the request within 30 days of receipt of the request. The city shall review annually all employee exemption requests, and shall determine whether the exemption will be in effect during the following program year.
~~(b) If the employer provides documentation indicating how many employees meet either of these conditions, the applicable goals will not be changed but the employees who fall into these categories will not be included in the calculations of proportion of SOV trips and VMT per employee used to determine the employer's progress toward program goals.~~
(3~~2~~) Modification of Program Goals.

(a) An affected employer may request that the ~~city~~ City modify its CTR program goals. Such requests shall be filed in writing at least 60 days prior to the date the worksite is required to submit its program description ~~and annual~~ or biennial report. The goal modification request must demonstrate why the worksite is unable to achieve the applicable goal. The employer must also demonstrate that it has implemented all the elements contained in its approved CTR program ~~at the worksite~~.
(b) The city will review and approve~~, conditionally approve,~~ or deny requests for goal modifications in accordance with procedures and criteria identified in the CTR ~~Task Force~~Board Guidelines and this chapter.
(c) An employer may not request a modification of the applicable goals until one year after the city's approval of its initial program ~~exemption~~description or biennial report.
(3) All requests for adjustment of affected employees or modification of CTR program goals must be made in writing by certified mail or delivery, return receipt. [Ord. 1264 § 10, 2000; Ord. 1006 § 10(2), 1993.]

~~16.16.210 Modification of CTR program elements.~~
~~If an employer wants to change a particular aspect of its CTR program during the period of time between annual reporting dates, the employer must contact the city. [Ord. 1006 § 10(3), 1993.]~~

Note: Move (4) Extensions to subsection (4) under Schedule and Process for CTR Program Description and Report.
~~16.16.220~~(4) Extensions.
An employer may request additional time to submit a CTR program description and ~~or CTR annual progress~~ report, or to implement or modify a program. Such requests ~~are~~ shall be made ~~in writing prior to~~via written notice at least 30 days before the due ~~date anytime a program submission is going to be more than one week late~~date for which the extension is being requested. Extensions not to exceed 90 days ~~are~~ shall be considered for reasonable causes. The City shall grant or deny the employer's extension request by written notice within 10 working days of its receipt of the extension request. If there is no response issued to the employer, an extension is automatically granted for 30 days. ~~Employers are limited to a total of 90 allowed extension days per year.~~ Extensions shall not exempt an employer from any responsibility in meeting program goals. Extensions granted due to delays or difficulties with any program element(s) are not cause for discontinuing or failing to implement other program elements. An employer's ~~annual~~ regular reporting date ~~is~~ shall not be adjusted permanently as a result of these extensions. An employer's ~~annual~~ biennial reporting date may be extended at the discretion of the ~~community development director~~City. [Ord. 1006 § 10(4), 1993.]

~~16.16.230 Credit for transportation demand management efforts.~~
~~(1) Credit for Programs Implemented Prior to the Base Year. Employers with successful transportation demand management (TDM) programs implemented prior to the 1992 base year may apply to the city for program credit.~~
~~(a) Employers whose VMT per employee and proportion of SOV trips are already equal to or less than the goals for one or more future goal years, and who commit in writing to continue their current level of effort shall be exempt from the following year's annual report.~~
~~(b) Employers applying for the program credit in their initial 1993 program description shall be considered to have met the 1995 CTR goals if their VMT per employee and proportion of SOV~~

~~trips are equivalent to a 12 percent or greater reduction from the base year zone values. This three percentage point credit applies only to the 1995 CTR goals.~~
~~For the initial year, employer requests for program credit are due within three months after notification that the employer is subject to this chapter. Requests for program credit must be received by the employer's assigned reporting dates in 1995 and 1997 for succeeding years. Application for a program credit shall include an initial program description, written commitment on an official report form to maintain program elements, and credit shall include results from a survey of employees, or equivalent information that establishes the applicant's VMT per employee and proportion of SOV trips. The survey or equivalent information shall conform to all applicable standards established in the director's rules for implementation of this chapter.~~
~~(2) Credit for Alternative Work Schedules, Telecommuting, Bicycling, and Walking by Affected Employees.~~
~~(a) The city shall count commute trips eliminated through alternative work schedules, telecommuting options, bicycling, and walking as 1.2 vehicle trips eliminated. This assumption applies to both the proportion of SOV trips and VMT per employee.~~
~~(b) This type of credit is applied when calculating the SOV and VMT rates of affected employers. [Ord. 1006 § 11, 1993.]~~

~~16.16.240 Employer peer review group.~~
~~(1) Purpose and Appointment of Members. The city may appoint member(s) from affected employers to regional or subregional employer peer review groups created through interlocal agreement with other jurisdictions. The specific functions of the peer review group shall be determined by interlocal agreement.~~
~~(2) Limitations of Peer Review Group. A peer review group shall be advisory in nature. The city is not bound by any comments or recommendations of a peer review group. [Ord. 1006 § 12, 1993.]~~

16.16.250 Appeals of administrative decisions.
(1) Employers may file a written appeal of final administrative decisions regarding the following actions:
(a) Rejection of an employer's proposed program;
(b) Denial of an employer's request for a waiver or modification of any of the requirements under this chapter or a modification of the employer's program;
(c) Denial of credits requested under DMMC 16.16.230.
(2) An appeal must be filed with the ~~city~~ City within 20 days of such final decision.
(3) Appeals are heard by the hearing examiner as appeals of administrative decisions in accordance with the hearing examiner code. [Ord. 1006 § 13, 1993.]

~~16.16.260~~ Enforcement. (Move section to precede "Exemptions and Modifications")
(1) Compliance. For purposes of this section, "compliance" means: ~~submitting required reports and documentation at prescribed times and fully implementing all provisions in an accepted CTR program.~~
(a) Fully implementing in good faith all mandatory program elements as well as provisions in the approved CTR Program Description and Report;

(b) Providing a complete CTR Program Description and Report on the regular reporting date; and
(c) Distributing and collecting the CTR Program Employee Questionnaire during the scheduled survey time period.

(2) Program Modification Criteria. The following criteria for achieving goals for VMT per employee and proportion of drive alone trips shall be applied in determining requirements for employer CTR program modifications:
(a) If an employer meets either or both goals, the employer has satisfied the objectives of the CTR Plan and will not be required to improve its CTR program;
(b) If an employer makes a good faith effort, as defined in RCW 70.94.534(2) and this ordinance, but has not met the applicable drive alone or VMT goal, no additional modifications are required.
(c) If an employer fails to make a good faith effort as defined in RCW 70.94.534(2) and this ordinance, and fails to meet the applicable drive alone or VMT reduction goal, the City shall direct the employer to revise its program within 30 days to come into compliance with the measures defined by RCW 70.94.534(2), including specific recommended program modifications. In response to the recommended modifications, the employer shall submit a revised CTR Program Description and Report, including the requested modifications or equivalent measures, within 30 days of receiving written notice to revise its program. The City shall review the revisions and notify the employer of acceptance or rejection of the revised program. If a revised program is not accepted, the City will send written notice to that effect to the employer within 30 days and, if necessary, require the employer to attend a conference with program review staff for the purpose of reaching a consensus on the required program. A final decision on the required program will be issued in writing by the City within 10 working days of the conference.

(3~~2~~) Violations. ~~It is a civil infraction to~~to the following constitute violations if the deadlines established in this chapter are not met:
(a) Failure to self identify as an affected employer;
(b) Failure to perform a baseline measurement, including:
(i) Employers notified or that have identified themselves to the city within 90 days of the ordinance being adopted and that do not perform a baseline measurement consistent with the requirements specified by the city within 90 days from the notification or self-identification;
(ii) Employers not identified or self-identified within 90 days of the ordinance being adopted and that do not perform a baseline measurement consistent with the requirements specified by the city within 90 days from the adoption of the ordinance;
(c) Failure to develop and/or submit on time a complete CTR program;
(d~~a~~) Failure to implement an approved CTR program unless the program elements that are carried out can be shown through quantifiable evidence to meet or exceed VMT and ~~SOV~~ drive alone goals as specified in this chapter. ~~Failure to implement a CTR program includes but is not limited to:~~
~~(i) Failure of an affected employer to submit a complete CTR program within the deadlines specified in DMMC 16.16.140 through 16.16.180;~~
~~(ii) Failure to submit required documentation for annual reports;~~
(e~~iii~~) Submission of fraudulent data in response to survey requirements;

(g~~b~~) Failure to ~~modify~~ revise a CTR program as defined in RCW 70.94.534(4) ~~found to be unacceptable by the city under DMMC 16.16.170~~; (Note this section should follow (f) below)
(f~~e~~) Fail to make a good faith effort, as defined in RCW 70.94.534(2) and this chapter.

(4~~3~~) Penalties.
(a) No affected employer with an approved CTR program which has made a good faith effort may be held liable for failure to reach the applicable drive alone or VMT goal;
(b) Each day of failure to implement the program shall constitute a separate violation, subject to penalties as described in DMMC 1.24.190(2).
~~(a) Each day of failure by an employer to (i) implement a commute trip reduction program; or (ii) modify an unacceptable commute trip reduction program shall constitute a separate violation.~~
~~(b) A person convicted of a violation of a provision of this section is guilty of a class 2 civil infraction.~~
(c~~4~~) An employer ~~is~~ shall not be liable for civil penalties if failure to implement an element of a CTR program was the result of an inability to reach agreement with a certified collective bargaining agent under applicable laws where the issue was raised by the employer and pursued in good faith. Unionized employers are presumed to act in good faith compliance if they:
(~~i~~a) propose to a recognized union any provision of the employer's CTR program that is subject to bargaining as defined by the National Labor Relations Act ~~or any statute of the state of Washington~~; and
(~~ii~~b) advise the union of the existence of the statute and the mandates of the CTR program approved by the ~~city~~City and advise the union that the proposal being made is necessary for compliance with state law (RCW 70.94.531).
~~(5) No affected employer with an approved CTR program may be held liable for failure to reach the applicable SOV or VMT reduction goals.~~ (Note- moved to (1) above) [Ord. 1264 § 11, 2000: Ord. 1006 § 14, 1993.]

ATTACHMENT 3

Washington State Commute Trip Reduction Board

February 1, 2008

To: CTR planning partners

From: Brian Lagerberg, Chair, CTR Board

Re: 2007 CTR Plans

Thank you for submitting your 2007 Commute Trip Reduction (CTR) Plan to the CTR Board by the October 1, 2007 deadline. We are pleased to inform you that your CTR plan has been unanimously approved. The local and regional plans for Whatcom County, Spokane County, Thurston County, and Yakima County were approved at the board meeting on December 7, 2007. On January 25, 2008, the CTR Board approved the local and regional plans for Clark County, and the counties in Central Puget Sound, including Snohomish, Kitsap, Pierce and King.

The CTR Board is proud to see these new plans, which meet the intent of the CTR Efficiency Act passed by the state legislature in 2006. We recognize the significant effort put forth in a constrained timeline by local governments and regional transportation planning organizations (RTPOs) and we applaud the progress shown in these plans.

We view the implementation of the CTR Efficiency Act as an iterative process, with opportunities for all of the CTR partners to continue to learn and work together to meet the legislature's vision of a CTR program that is integrated with transportation and land use plans. We will continue to work with employers, local governments, and RTPOs around the state to move this vision forward.

The next step is to review your draft plans and edit as necessary. The Board recognizes the potential for technical changes such as updating the worksite goals based on 2007 survey results or correcting errors identified after submittal. These technical changes may be made at the local level. However, since the CTR Board has approved your draft plans, any substantive changes require consultation with WSDOT staff.

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Once the draft is in final form, you should formally adopt your plan and revised local ordinance, using your local plan adoption processes. WSDOT will provide you with a model ordinance to assist you.

After your new ordinance is adopted, we encourage you to re-focus attention on your CTR employers and work with them to implement the goals and strategies in your plan. WSDOT will continue to provide technical assistance and update administrative and measurement guidelines to reflect the new realities of the program.

As part of the plan review process, the CTR Board developed specific recommendations for local governments and RTPOs to incorporate into future plan updates. We are also working with WSDOT staff to improve the state's CTR planning guidance and model plans for the next planning cycle. We look forward to working collaboratively with you to strengthen and improve your CTR plan in conjunction with the development of a state CTR plan and future local and regional updates. Staff from WSDOT and/or your RTPO will contact you soon to discuss your plan, review the CTR Board's recommendations, and plot a course forward.

As communities around the state implement their CTR plans, we anticipate new challenges and successes. The CTR plans represent an increased level of flexibility and customization in the program, and we want to provide you with the best technical assistance and support that we can. Please share your stories and help us continue to evolve the program.

The CTR Board appreciates your commitment to foster multimodal transportation solutions and implement effective programs that serve your communities. Please contact Kathy Johnston, CTR Program Manager, at (360) 705-7925 if you have any questions.