

## *City Manager's Office*

August 21, 2006

To: City Council

From: City Manager

Re: Monthly Report – July 2006

### Consultant to Assist with Port Buyout Area Development

Staff is in the process of finalizing a contract with ClearPath, LLC to serve as a real estate and economic development advisor to the City in support of the ongoing efforts with the Port of Seattle to develop the buyout area, also known as the Des Moines Creek Business Park (DMCBP). Those City Councilmembers who were on the Council in 2004 may remember ClearPath as being one of the finalists for the economic development study contract that was awarded to Ravenhurst. The city manager requested a letter of interest and a list of qualifications, projects worked on, and references from three companies known to provide these types of services to governmental entities: ClearPath, Heartland, and Seneca Real Estate Group. ClearPath and Heartland submitted a response. ClearPath's response showed a better understanding of the project, assistance needed, and work on similar projects, particularly in South King County. For your information, the Port hired GVA Kidder Matthews (with Blair Howe as Kidder Matthews' lead staff person) to provide similar assistance to them. ClearPath will provide assistance with the negotiations and evaluations processes that the City is currently conducting and will be conducting in regards to real estate issues and economic development issues pertaining to the development of the DMCBP. The Scope of Work for the contract will include having ClearPath review and provide input on the proposals from the Port and their consultants; assist the City in obtaining additional market and economic impact information to maximize leverage in negotiations; and take part in meetings with the Port, City staff, and the City Council to provide comments and advice from a real estate and economic development perspective. The contract will be in an amount not to exceed \$20,000 and will be funded from the \$45,000 placed in the 2006 budget for economic development services.

### New Arts Commission Steering Committee

Staff helped to organize a group of citizens interested in the development of an Arts Commission for Des Moines. The first meeting was held on June 26<sup>th</sup> at the Activity Center. Musician, owner of Breeders Theatre and Highline Community College Administrator Nancy Warren stepped forward to Chair the group during the development stage. The group will make a presentation to City Council at its September 28<sup>th</sup> meeting proposing initiation of a Municipal Arts Commission. The proposal includes establishment of a \$1.00 per capita budget.

#### Des Moines Creek Trail Architect Interviews

Interviews were held for Des Moines Creek Trail architectural and engineering services May 31st. Staff has begun negotiations with INCA Engineers, Inc., the most qualified team, and will bring the draft contract to City Council for approval in September. Trail construction will begin following the completion of the Marine View Drive Bridge Underpassage.

#### Des Moines Beach Park Historic Auditorium

The development of Construction Documents and project permitting began in May. The pre-application process with Building and Public Works staff took place on July 26<sup>th</sup> and the project was reviewed by the King County Historic Preservation Commission Design Review Committee for a Certificate of Appropriateness. The goal is for the Auditorium Project to be out to bid in late August with work to begin in late September 2006. The new projected completion date is February 2007.

#### Dining Hall/Picnic Shelter

Staff is working with BOLA Architecture and Planning Design to develop the scope of work for Dining Hall and Picnic Shelter design services to include: specifications, plans, and project cost estimates to elevate the building above the flood plain, stabilize and reconstruct the building foundation, remove utilities from beneath the building, and structural improvements (framing, sheathing, windows) as well as construction administration services.

A grant to Washington State Heritage Capital Projects Funds was submitted May 11<sup>th</sup>, to request \$1M Washington State Heritage Capital Projects Fund funding for this project. The grant was reviewed along with 40 other applicants on July 25<sup>th</sup> and was selected for a \$650,000 grant award. The state appropriation will be available on July 1, 2007.

#### Field House Park

Staff applied to King County Youth Sports Facilities Grant Fund for \$75,000 on June 23, for enhancements to Des Moines Field House Park Field #1. The grant would provide for new dugouts, temporary fencing and other improvements to the hardball field. Funds allocated for the playground in the 2006 CIP will be used to match the grant request. Staff has not received notification from King County regarding the status of grant funds.

#### Zenith Park

Staff is working with Highline School District to negotiate a new Interlocal Agreement to re-establish the use of the Park in 2007. The new agreement would be similar to the city's historical use agreement with the School District with the exception that Highline School District would mow the site during the months of March through July relieving city crews from this task during this busiest maintenance season.

#### Des Moines Waterfront Farmers Market

The market continues to have tremendous community support and sales have grown each week. It is expected to continue to draw large numbers of people until it closes for the season on October 28. Staff initiated collaboration between the Farmers Market and the Des Moines Area Food Bank to deliver farm fresh produce to food bank clients on an availability basis. For information on weekly crops and events, go to the Farming & the Environment web site at: [www.farmingandtheenvironment.org](http://www.farmingandtheenvironment.org).

## Recreation Program Update

<u>July Revenue</u>	<u>Year-to-Date</u>	<u>2005 YTD</u>
\$93,192.92	\$408,670.02	\$357,015.65

### Camp KHAOS/K2

We had 363 kids registered for four weeks of Camp KHAOS during the month of July which makes an average enrollment of 91 campers/week. Camp KHAOS is for 5-11 year old participants. The teen portion of Camp KHAOS called K2 for 11-14 year olds had a total of 82 participants over the 4 weeks in July equating to 21 campers per week. Some of the more exciting activities or events in the month of July included a trip to Key Arena to watch a Seattle Storm game, field trips to Seattle Aquarium, the Tukwila Fun Center, and Pacific Science Center, a tour of Safeco Field, rock climbing bowling at Vertical World and many other fun and exciting adventures. Camp KHAOS/K2 also goes swimming at Mt. Rainier Pool every week. This summer's Camp Director is Sergio Haberman, who is a Recreation student at Western Washington University.

### Waterland 3 on 3 Streetball Tournament

Fifty teams made up of over 200 people participated in this year's Waterland 3 on 3 Streetball Tournament. This all day event took place on Sunday, July 16th at the Des Moines Marina and included teams ranging from 3<sup>rd</sup>/4<sup>th</sup> through adults. Teams came from as far away as Bellingham and were placed into 7 different divisions based on age, experience and ability. The event was sponsored by Pepsi and the City of Des Moines Parks & Recreation Department.

### Waterland 5K Run and Walk

The 2006 version of the Waterland 5K Run and Walk had a total of 101 people participate in this year's race. Participants ranged from 9 years old to our oldest male competitor of 83 years old. The course location was identical to the last couple years and seems to be well received by all participants and marina users alike. Event Sponsors for 2006 included the Law Offices of Gehrke and Baker, Judson Park, and Des Moines Dental Center.

### July Events

We were able to host a number of 2006 Summer Events at our facilities during the month of July. The Wenatchee Youth Circus performed 4 shows at Field House Park on July 21<sup>st</sup> and 22<sup>nd</sup> to crowds of 50-100 people per show. The traveling circus featured children doing hire wire acts, juggling and performing a number of other specialized skills. The 2006 Wood Bat Little League Tournament took place July 21-24 at Steven J. Underwood Memorial Park and Field House Park with 11 and 12 year old baseball players from around the state competing in our local tournament. The 4<sup>th</sup> annual Des Moines Boosters Auto and Cycle Show took place on Sunday, July 30<sup>th</sup>, at Field House Park. This year's car show featured approximately 160 show cars and motorcycles and many prizes donated by local businesses.

### Summer Concerts

We hosted 3 summer concerts during the month of July! *Bakra Bata* performed as the opening of our Fourth of July festivities at the Des Moines Marina. They are a 6 member steel drum band whose style and flair captured all attention! *The Main Attraction* was our

closing act on the 4<sup>th</sup> of July as they performed their acappella style music to the crowd's delight. *Buck and Elizabeth* performed at Des Moines Beach Park on Thursday, July 27<sup>th</sup> for all our young fans out there. They put on a high energy children's show which captivates all audiences!

Senior Center Division Statistics – July 2006

	<b>2005</b>	<b>2006</b>
Number of Meals Served	981	834
Fee Program Participants	462	459
Drop In Participants	1,944	1,543
Volunteer Hours	3,666.75	3,303
Total Revenue for July	\$6,575	\$4,191

Health Enhancement Program

Three new programs were offered during the month of July, Coping with Clutter, Taking Care of You/Powerful Tools for Caregivers and Fire Safety in Your Home. The weekly Tuesday walking group lead by health mentor John Corr continues to involve about five walkers on average. Our July bike outing lead by volunteer Mack Van Wyk included five bicyclists, our monthly Hike involved six participants and was lead by Chris Pauk. The bi-weekly golf outings remain strong with an average of sixteen golfers participating.

Patio & Mary's Garden

The maintenance crew will finish installing the sprinkler system for the Activity Center patio area in late August. Volunteer Keith Noess, also a board member of the Des Moines Legacy Foundation, has completed planting the rose garden and garden area around the water feature. It looks wonderful. All funds for the plantings of the patio area were donated by seniors along with funds from King County Councilman Pete von Reichbauer.

Special Events

Activity Center staff coordinated the first annual Trash to Treasure Parking Lot Sale on Saturday, July 15<sup>th</sup>. There were 62 indoor and outdoor vendors and a steady crowd of shoppers all day long. Jobs Daughters #75 coordinated the food sales. \$725 was raised for the senior center and \$250 for Jobs Daughters. Next year's plans include doubling the number of vendors and moving the public parking to Steven J. Underwood Park. Staff is also discussing the possibility of an "inflatable" children's carnival area around the patio and garden area of the Activity Center during the parking lot sale.

Human Services Advisory Committee

The committee held meetings on Thursday, July 20<sup>th</sup> and Thursday, July 27<sup>th</sup> at the Des Moines Activity Center. Committee members present were Mike Adams, Florence McMullin, Nadine Byers, Ann Berney and Elizabeth Brant.

The bulk of both meetings were the review, discussion and allocation of funding amounts for 2007 human services funds requested by 22 agencies. After hours of review, discussion, site

visits, follow up with agencies in person and over the phone, the committee allocated \$69,000 to 22 programs. The committee recommendation will now go to City Council for review as part of the 2007 budget discussions.

2006 agency quarterly reports were distributed to committee agency mentors for review. Mentor reports were given at the July 20<sup>th</sup> meeting.

#### Legal Matters

Legal staff spent numerous hours working on public records requests for various departments.

The City Attorney, along with Legal Department staff, prepared a response to a public disclosure request regarding records involved with the City's crime-free housing program. These records were requested from the attorney challenging the City's crime-free housing ordinance and were in addition to the hundreds of pages sent in response to prior requests from the same law firm.

The Assistant City Attorney filed Notices of Infraction in Des Moines Municipal Court against property owners who have been operating an ongoing garage sale out of their home and have been illegally parking vehicles on their property. These infractions were filed following an investigation by the City's code enforcement officer. There are five hearings scheduled for August on these matters.

The Department finalized the Des Moines Civil Service *Rules and Regulations* after reviewing proposed housecleaning amendments and suggested amendments to accommodate continuous testing to fill open Civil Service positions. The Civil Service Commission requested the revisions in order to expedite the hiring process for open Police Department positions. The revised *Rules* were adopted by the Civil Service Commission at its July 11, 2006 meeting and are now posted on the City's intranet site.

The City Attorney, together with the Police Department, reviewed a proposed contract for testing of Police Department applicants for positions covered under Civil Service. Revisions to the contract were recommended by the City Attorney and the proposed contract is waiting approval of the contractor.

#### Police Personnel Issues

During the month of July we have been processing prospective applicants for the positions of police officer and records specialist.

During the month, we have also been working with our legal department and the Civil Service Commission to process applicants through Public Safety Testing. Unlike the older system of accepting applications, testing the candidates and creation of a yearly eligibility list, joining with Public Safety Testing will be beneficial in that it will allow us to have continuous access to prospective employees.

#### Robbery/Shooting

On 7/14/06, officers were summoned to the 7-11 located at 2904 Kent Des Moines Road regarding a robbery and shooting. The suspect entered the store at approximately 1:45 am

and while the clerk was assisting another customer, the alleged suspect produced a firearm and shot at the clerk, striking him in the upper chest. The alleged suspect retrieved an unknown amount of money from the till and fled the business in an unknown direction. Detectives had identified the suspect and on 7/28/06, officers arrested him. He has been booked into the King County Jail. The clerk is expected to make a full recovery.

Statistical Data on Reported Crimes

The following is a comparison between July 2005 and July 2006. Included are a year-end total for 2005 and a running total for 2006.

<b>Offense Type</b>	<b>July 05</b>	<b>July 06</b>	<b>% Difference</b>	<b>2005 Total</b>	<b>2006 YTD</b>
Homicide	0	0	0%	0	00
Rape	1	1	0%	19	8
Robbery	6	10	+67%	45	26
Assaults	16	23	+44%	296	174
Burglary	14	19	+36%	242	148
Larceny	70	49	-30%	732	348
Arson	1	1	0%	4	3
Motor Vehicle Theft	35	33	-6%	428	204
Officers Assaulted	0	0	0%	4	0
Clearances Adult Arrest	34	28	-18%	353	169
Clearances Juvenile Arrest	4	3	-25%	53	36
Calls for Service	2,422	2,381	-2%	23,521	13,684

Retail Sales/B&O Tax on Recreation Activities:

The Finance Director reviewed WAC 458-20-189 as it applies to sales to and by government entities. Recreation activities are subject to B&O tax if funded over 50% by user fees. Some activities are subject to retail sales tax such as participation fees paid to join a baseball league, and fees for amusement and recreation activities such as golf, swimming, racquetball, tennis, and use of weight equipment. The City currently does not pay retail sales tax or B&O tax on recreation program activities. Finance will evaluate the City's recreation program activities to determine if the City would be subject to retail sales tax and B&O taxes on its recreation program activities.

Marina Events

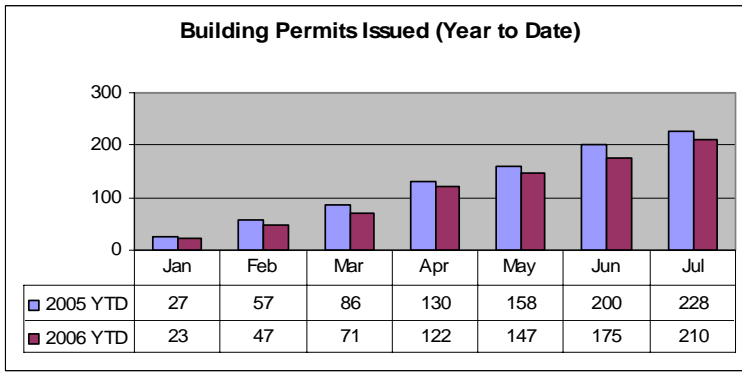
In July, the Marina hosted two public events. The first event was the Fourth of July Fireworks display. This was the second year that the event was sponsored by the local Rotary Club and it was run substantially the same way. This year there were more vendors, including the Tillicum Village Salmon Bake, and a much improved fireworks display. The event was gated like last year, with Rotary volunteers and police officers working at the gates to keep fireworks and alcohol off the Marina floor. By all accounts, the event was a success, with a larger crowd than last year and no significant incidents to report. A financial accounting of the event has been prepared and sent to the City Manager for distribution to the Council.

The following weekend, the Marina hosted a classic car and boat show. The boat show featured about 25 classic wooden boats and the car show had about 80 entries. The event also has some local entertainers performing for the crowd. There was one vendor serving cold drinks and popcorn, and the Marina staff ran a shuttle bus from the Marina to the downtown area for those exhibitors who wanted to leave the site to eat or shop. The staff and volunteers collected over \$4000 in donations at the gates. Since the suggested donation was \$2, over 2000 people came down to see the cars and boats. The staff is preparing a financial report for the event that will be distributed to Council, but at this time, the general feeling is that the show went well and it is worth considering making it an annual event.

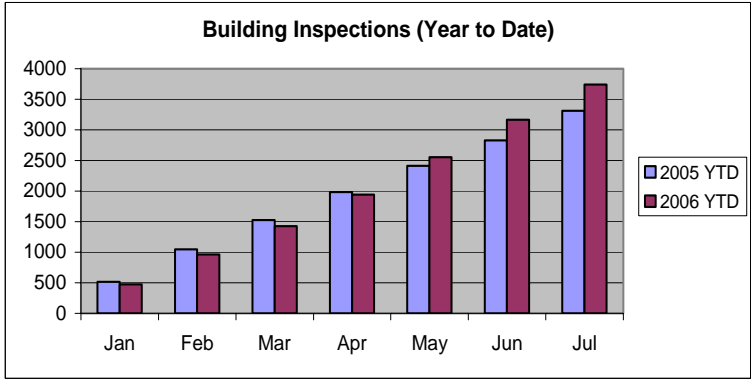
Launching, Fuel Dock and Guest Moorage

The number of launch customers continued to decline in July. In July of 2005, launching revenue was \$19,721 and the year-to-date revenue (Jan. 1 through July 31, 2005) was \$38,941. This July, launch revenue was \$15,300 and year-to-date revenue for 2006 is \$33,630. This means that the staff launched about 200 fewer boats last month than in July of 2005. Guest Moorage revenues in July were \$21,658, about \$400 less than July of 2005. For the year-to-date, guest moorage revenues have increase over 2005. As of the end of July, guest moorage revenues were \$52,028, compared with \$45,895 for the same period last year. The records show that the 13% increase in guest moorage revenue is from the “off-season” months and is the result of the staff’s efforts to market the Marina to groups and clubs.

Building Division



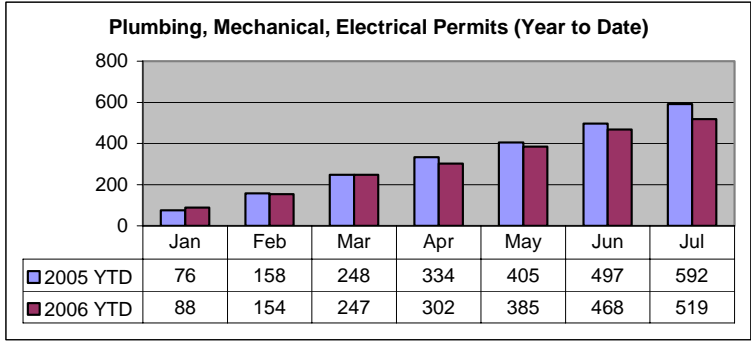
Building permits are down 8% from 2005



Building inspections are up 12% from 2005.

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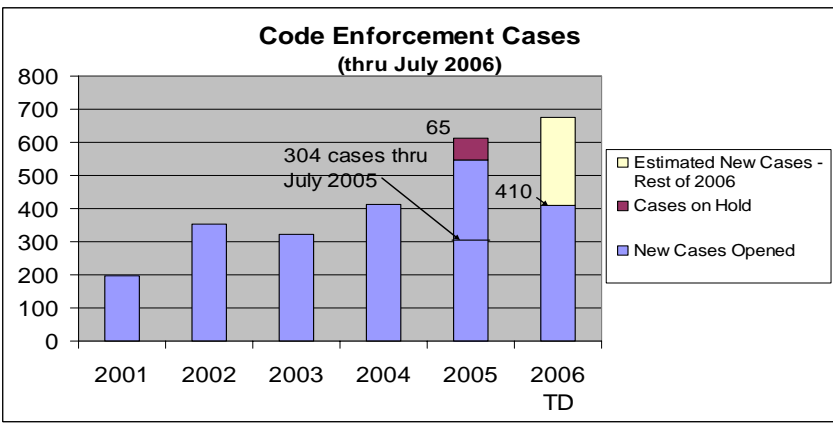
Plumbing, mechanical & electrical permits are down 12% from 2005.

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Permit Activity

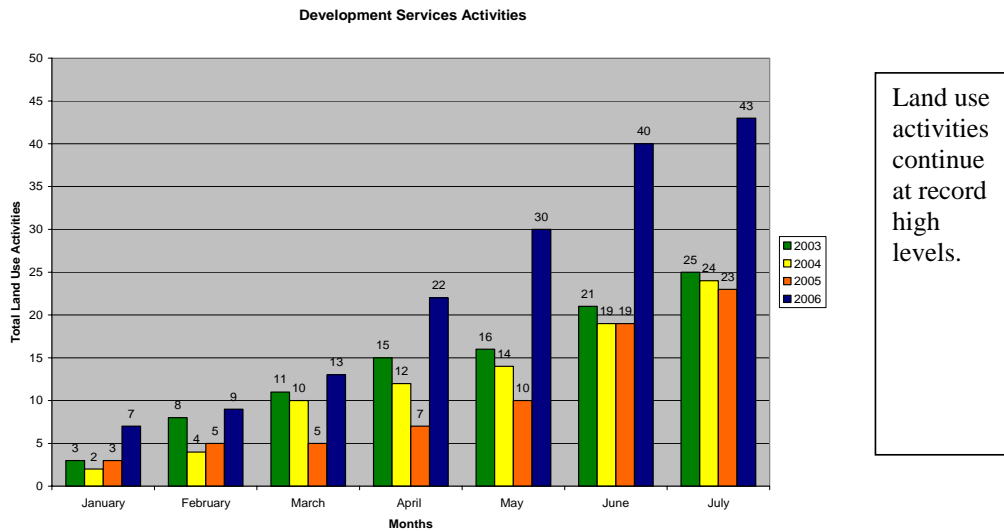
Mount Rainier High School continues to place footings, foundations, concrete masonry unit walls and structural steel. Work is requiring about 2 hours of inspection time each day. This will increase to 3 to 4 hours per day during peak construction.

Code Enforcement (CE)



There were 130 new cases opened and 42 cases closed during July. For the year, 410 cases were opened (compared to 304 cases at this time last year) and 297 closed, 314 are currently open, and none are pending at this time.

Code Enforcement is sending out correction letters to businesses needing current licenses. Currently there are 135 addresses regarding some businesses, large apartments and single family rental units without current business licenses. Many of the businesses have been operating many years without business licenses. Administrative support for code enforcement will be working on these cases.



Subdivisions and Related Activity

- Massey Creek Estates 7 Lot Subdivision, 23406 S 14<sup>th</sup> Avenue. The applicant submitted material on June 23, 2006 requesting to divide a 2.35 acre property into seven lots. Letter of complete application sent July 14<sup>th</sup>. City staff comments are due August 22, 2006.
- Highline View Estates 21 PUD, 22xx South 240<sup>th</sup> Street. The original application was submitted in February of 2005; staff completed the initial review and provided comments to the applicant on May 4, 2005. The original submittal lacked required materials and fees. The developer has since hired a new consulting firm which resubmitted the PUD on July 24, 2006. Staff is currently reviewing the materials for completeness.
- Nichols 3 Lot Short Plat, 23246 Marine View Drive. The applicant submitted materials on June 21, 2006 requesting to divide a 1.04 acre property into seven lots under the provision of DMMC § 17.12. Staff issued the written notice of complete application on July 5, 2006. Comments from each city division should be provided by August 3, 2006.
- Nhut 4 lot Short Plat, 2004 S. 253<sup>rd</sup> St. The applicant submitted material on June 14, 2006 requesting to divide a 2.57 acre property into four lots under the provision of

DMMC § 17.12. Staff issued a notice of complete application on June 19, 2006. The public noticing and comment period for the application was from July 7, 2006 to July 21, 2006; the City did not receive comments from the public. Review of the plans and specifications by the staff is complete. Development Services is currently preparing the comment letter.

- ADKP 4 lot Short Plat, 22752 10<sup>th</sup> Avenue South. Staff has completed the initial review of the preliminary plans and specifications. During the review it was determined that the plat required some changes related to the frontage improvements, the tract for the private street, hydrants, and the setbacks for the oddly shaped lots. These comments were provided to the developer on July 28, 2006.
- Landmarque 75 lot Townhouse Subdivision, 260<sup>th</sup> and Pacific Highway South. The developer has resubmitted the revised plat design, SEPA checklist, a new TIR, and the justification narrative to process the application as a modified subdivision. Staff routed the materials with comments related to the subdivision due September 8, 2006.
- Maslow 5 lot Subdivision, 18xx South 222<sup>nd</sup> Street. The preliminary modified subdivision was approved by the City Council on July 6, 2006. The developer is waiting to finish the sewer line project (Prasad Sewer Extension) prior to submitting the materials and specifications for the civil plan review.
- Dovey 4 lot Short Plat 1655 S. 225<sup>th</sup> Street. The applicant has submitted the revised road cross-section and right-of-way width. PB&PW has approved the civil plans and the ROW permit; however, the applicant must still submit the required bond and pay the application fee for the ROW permit. Additionally, the applicant is having a difficult time locating a contractor to install the required infrastructure improvements due to the industry-wide shortages in Western Washington.
- Blueberry Lane 66 unit PUD, 199xx Des Moines Memorial Drive. Divisional review of the revisions is complete. Comments and the redlined preliminary PUD was mailed to the project contact on July 28, 2006. Staff comments are mainly focused on the design of the street system; minor adjustment to the lot layouts; placement of utilities; minor access issues with the surface water detention pond; and hydrant placement. Staff issued a Mitigated DNS on July 20, 2006. The public comment period for the combined comment letter and SEPA threshold determination ended on August 4, 2005 and the appeal period concluded on August 14, 2006.
- Pacific Heights (formerly Grandville Southern) 77 lot PUD, 15xx South 279<sup>th</sup> Place. The applicant submitted material on June 1, 2006 requesting to divide a 12.72 acre property into seventy-seven lots under the provision of DMMC § 17.16, DMMC § 18.52 and the settlement agreement. Staff issued a notice of incomplete application on June 16, 2006. Staff is still waiting on the re-submittal of missing application items (Landscaping Plan, Current Title Certificate, Boundary Survey, Project Narrative, Certificate of Water Availability and Certificate of Sewer Availability).
- Yoder 4 lot Short Plat, 23222 Marine View Drive. Work on the site is stalled due to the disagreement between the developer and the neighboring property owner regarding the removal of landscaping trees located on the property line. The removal of the trees is necessary in order to install the 22' of asphalt. Additionally, due to the road design there have been some challenges with the installation of the street lighting. Due to this dispute,

the developer has indicated that it might be simpler to re-engineer the road and relocate it further away from the property line. As of this time the developer has not re-submitted civil plans for relocation of the ROW.

- Graceview 27 unit PUD, South 234<sup>th</sup> & Kent-Des Moines Road. Work on the installation of the sewer main is complete. The contractors have now re-started the work on the geo-grids and the associated retaining walls. Work on the lower geo-grid is about 30% complete. Work on the storm water improvements should commence in the next couple of weeks. Once the lower geo-grid is complete, utility work on the upper geo-grids and retaining walls will begin.
- Sunset Gardens 12 lot Plat, 25416 22<sup>nd</sup> Avenue South. The undergrounding of utilities is 90% complete; the developer is waiting on Qwest to finish the undergrounding work. The removal of the excess 5000 cubic yards of dirt is complete and work on the new roadway will begin after the installation of the dry utilities is underway. The developer still expects that all required infrastructure improvements will be complete by the end of August.
- Mediterranean Heights 12-lot subdivision, 1211 S 272<sup>nd</sup> St. A new application has been filed to revise the preliminary plat from 11 to 12 lots. All plan reviewers have provided comments these have been shared with the applicant in a meeting. A significant number of comments on the preliminary plat were provided, but most involve minor formatting, labeling, and information organization issues.

#### Commercial Scale Projects

- Beach Park Auditorium Renovation, 22030 Cliff Avenue. The Parks Department has submitted a development exception application in order to remodel the Beach Park Auditorium since the structure is located within an environmentally critical area. Review of the application was completed on July 26, 2006. Staff issued a conditional determination to allow for the renovation of the auditorium and the installation of the curtain drain.
- Patel Medical Arts Building 22613 Pacific Highway South. Re-submittal of the design review specifications and the civil plans were routed to the reviewers within the Department on August 1, 2006 and comments will be due by August 21, 2006.
- Zenith Viewpointe, 239xx Marine View Drive South. The existing site improvements have been removed. The applicant has opted to redesign the development to shift the mixed use building away from Marine View Drive 10-12 additional feet and combine the two stand alone dwellings into a single duplex type structure. Waiting for revised building plans to be resubmitted.
- Stegin, 22607 Marine View Drive. The applicant, Mark Stegin, is now partnering with another builder/developer (Jim Jones) to assist him in moving the project forward. The architect acknowledged that they are behind and revised their forecast for building permit submittal to sometime in mid August.
- Bayside Place (formerly referred to as Sunway Services), 22325 7th Avenue South. The architect and developer have been in close communication with both the Building Division and Fire Department as they revise their application materials to account for

new fire flow information. The applicant will have to change construction materials, upsize and extend a water line to meet the needs of the Fire Department.

- Landmark on the Sound (Masonic Home), 23660 Marine View Drive South. The applicant met with City staff on May 30, 2006 to discuss a revised scope of work and revised development schedule for the project. Staff has provided the applicant the amount of the re-submittal fees for the revised project. The applicant is currently working on re-designing the following components of the project: removal of the skilled nursing center, elimination of half of the cottages, and adding square footage in the third tower. The applicant has a conceptual design for part of the project which includes a redesign of Wing C and the relocation of the pool house to the front of the 1926 building. The applicant is now working on a revised design and interior layout for the cottages. Additionally, work on the model unit is being coordinated with the Building Division.
- Judson Park, 236xx Marine View Drive South. Staff has completed a mitigation agreement and forwarded it to the applicant for review and execution of signatures. The applicant requested some minor changes to phase the public services impact mitigation. Staff completed the change. The applicant has agreed verbally to all terms of the mitigation agreement, but it has not been signed and returned to the city. Meanwhile, the applicant has applied for a building permit for the project.

#### Land Use Approvals Granted

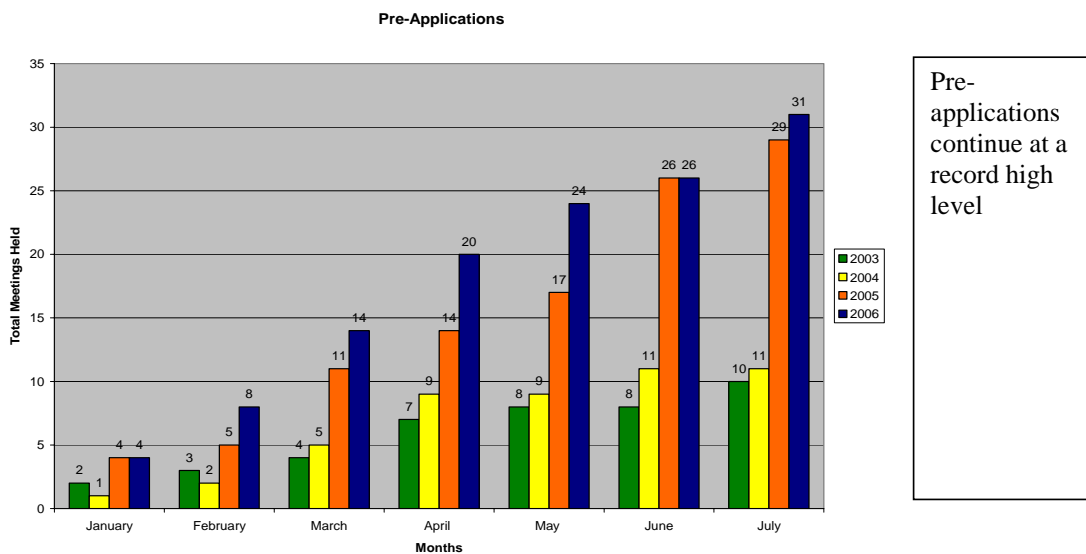
- Andrews Brother's Building (Butler Garage), 22341 Marine View Drive South. Building permit for the exterior remodel has been issued by the City. The owner will have to apply for tenant improvement permits to finish the remodel of the individual spaces within the building.

#### Shorelines/ESA'S

- Redondo Waste Water Treatment Plant Outfall Repair and Replacement. The Department of Ecology has approved the shoreline permit. Development Services will route the plans to stabilize the sea wall adjacent to Redondo Shores Drive to the Transportation Divisions and will now complete the review of the grading permit application by end of the month.
- HCC Marine Science Center, 28203 Redondo Beach Dr. S. The Council approved the conditional shoreline permit on June 22, 2006. The approved permit was forwarded to the Department of Ecology's shoreline division for review and approval on June 28, 2006. Development Services is preparing a letter to provide requested additional information by DOE. Staff also provided the design review comments to the applicant on June 28, 2006 and met with the architect and a representative from the college to discuss the frontage improvement requirements. In order to install the frontage improvements the college will have to relocate catch basins and underground the electrical utility lines. Additionally, as part of the undergrounding of the utilities, a City traffic light will have to be relocated.
- Redondo Rezone. On July 11, 2006, the City Council passed a resolution instructing staff to prepare an ordinance to evaluate the rezone of portions of the Redondo neighborhood. In order to begin the process, staff met with the Finance and Economic Development Committee on July 28, 2006 to discuss the timeline for the project.

Development Services will start in August to identify the geographical area of the rezone and prepare the draft ordinance. Once the draft ordinance is developed and the area is identified, staff will complete the SEPA checklist and issue a threshold determination.

- Shoreline Master Program (SMP) Update. City staff forwarded the Council-endorsed SMP update to the Department of Ecology (DOE) in early March 2006. Despite several inquiries by both City staff and the City’s consultant, DOE did not inform us of the status of its review for several months. City staff indicated to City Council that it was its intention to submit a draft SMP to DOE early in 2006, give DOE 8-10 weeks to review it and then respond to DOE comments and prepare changes by the end of our grant contract period which concluded in June 2006. The Department of Ecology partially reviewed and responded to the City’s draft SMP. These “partial” comments were received by staff in early July 2006—after our grant contract period with DOE expired. The DOE comments were not only extremely late, but also extensive. Staff has not been able to discuss the nature of these comments with DOE because the DOE contact for the City went on vacation for 3 weeks immediately after mailing the comments to the City. DOE remarked in its comment letter that they were willing to extend the grant period, but they did not indicate a willingness to augment funding to complete this work. Meanwhile, our consultant has reviewed the comments and has preliminarily indicated that they believe the scope of work to address DOE’s comments is totally unanticipated and beyond the scope of work they are contracted to complete. Staff will need to prepare a response to Ecology’s “partial” review comments and discuss the realities of how to proceed for this point.



Critical Areas Ordinance (CAO) Update - Collected critical areas information and reports for Grette Associates for them to complete critical areas inventory; coordinated with them on the initial findings from the critical areas inventory and for support preparing materials for the Planning Agency and City Council agenda items. Met with the Planning Agency on July 17<sup>th</sup> to discuss proposed wetland classification and rating system, permanent stream typing and

wetland buffers. On July 27<sup>th</sup>, met with the City Council Environment Committee and full City Council to discuss recommendations to adopt Ecology's wetland classification and rating system and the State Forest Practices Board permanent stream typing. Posted information updates to City website.

#### Port of Seattle Business Park

- Weekly Meetings. Staff attend weekly meetings with Port staff focusing on project management and the EIS for the project
- Draft EIS. The transportation and surface water technical reports have been delivered to the City. The City received the first preliminary draft EIS on for July 21<sup>st</sup> for our internal review. We will have about 2 weeks to review the EIS and will be meeting with the Port on August 8th to discuss the City's comments. Remaining City comments are due August 11<sup>th</sup>. A second preliminary draft will be provided in late August.
- Plat and Street Vacation. Staff will be meeting with the Port to discuss the plat vacation and subdivision process in mid-August. City staff is also discussing with Port staff procedural and process issues related to street vacations, lot consolidation, and timing of improvements. These issues have proven to be tricky considering that the Port desires to secure as many approvals and entitlements from the City to make it attractive to a developer, who then will proceed with developing the site and improvements in a more detailed manner.

#### Marine View Drive Bridge

Work in July consisted of completing the east side pedestrian barrier and sidewalk, continued construction of the east side wing walls and shaft cap beams, and constructing the first set of 3 permanent structural struts. Once all of the struts are installed, the lower half of the fill may be removed. [Note: Due to the County-wide concrete plant worker strike, installation of the concrete struts is currently on hold. Staff and the contractor are evaluating the project schedule for potential delays due to the strike].

Placement of new curb and gutter within Marine View Drive and around the flag triangle is anticipated in August with paving and permanent striping occurring mid-August. Re-opening the roadway is scheduled for September 1st. After September 1st, work will still be needed to restore the flag triangle and install enhancements. Completion of the entire project is anticipated in summer of 2007 when the next fish window will allow the abandonment of the existing culvert and any remaining stream work.

#### Des Moines Creek Basin Projects

The Basin Committee completed the final draft of the user agreement with the Midway Sewer District for use of the existing sewer outfall and trunk line as the stream bypass pipeline. The agreement is now being circulated for legal review. Approval for the agreement by all of the parties is expected in September. The Des Moines Creek Basin Committee is also working on easements between the parties for the various projects. Des Moines will be granting an easement for the bypass pipeline within the City limits and will be granted easements from at least three other jurisdictions. Des Moines has completed its easement and it is being circulated for signatures. In order to proceed to construction of the Bypass Project, both the user agreement with Midway Sewer District and all of the

easements will need to be completed.

The Committee is also working on an amendment to the construction Interlocal Agreement (ILA#4). To prepare the amendment, the Committee is re-evaluating the costs of the operation and maintenance plan and the repair and replacement plan. These costs need to be adjusted to include inflation as well as costs associated with long term monitoring requirements by Ecology due to arsenic cleanup/management. The ILA amendment will also address funding to complete the full suite of projects, which includes the three big projects as well as several habitat projects and the flow augmentation facility. To help fill the funding gap for the habitat projects, the Committee was awarded a \$150,000 habitat grant from the Port, and a \$160,000 contribution from King County. The ILA amendment is expected to be ready in September or October.

#### 2006 Landslides

Staff finally received confirmation that the landslide projects will receive FHWA emergency relief funding. In August, Local Agency Agreements will be made with WSDOT obligating the needed funds. Once the funds are obligated, the City will be reimbursed 100% for the temporary/emergency work made thus far (\$229,000). Staff has advertised for engineering services for the design and permitting for the two major landslides (Marine View Drive (MVD), north of the bridge project, and Des Moines Memorial Drive (DMMD), 500 feet north of the flag pole).

Due to the delay in obligating the funds and the need to complete the work in dry weather conditions, staff now anticipates that work on the slide repairs will not occur until spring. Staff will need to monitor the slide areas over the winter.

#### Bids, RFPs and RFQs issued in July

- Steven J. Underwood Memorial Park Restroom Building Project

#### Contracts, Bids, RFP's and RFQ's to be issued in the following month (August).

- Contract with Fire Systems West, Inc. in August for the installation of the standpipes on K & L docks.
- Contract with Northwest Management Systems to re-rate the Arterial Streets and update the Pavement Management System Software and Contract for 2006 Arterial Maintenance Overlay Program.