

# *City Manager's Office*

February 23, 2005

To: City Council  
From: City Manager  
Re: Monthly Report - December

## Upgrades to Boat Repair Yard Building

The goal of this project is to remove all of the non-compliant storage areas in the building, to install a firewall between the shop and retail area and to rebuild the restroom to make it ADA accessible. This project has been completed.

## Upgrades to the Marina Electrical System

This project is one of the projects that are scheduled for the first phase of the Marina Master Plan. There are two reasons why it is necessary to do this project at this time. First, the electrical distribution system that services K, L, M and N docks does not have enough capacity to meet the demand for electricity from the tenants. The original distribution system has had some minor upgrades over the years, but the transformers and distribution wires are undersized for the amount of electricity the tenants are currently using. Second, the timber bulkhead will have to be replaced in phases over the next decade but the main medium-voltage distribution cables are located right behind the bulkhead and they will have to be moved before the bulkhead can be replaced. Like the bulkhead, the electrical distribution system will be replaced in phases over the next decade.

This project is the first part of a multi-phase project. The remaining phases of the project will take place as the Marina is rebuilt over the next decade. The scope of work for this segment of the project is:

1. Installation of new medium voltage service to the Marina. The new metering equipment and new switchgear will be located near the center of the Marina, at the bottom of the Waterford Steps.
2. Installation of sectionalizing cabinets, transformers and distribution system for the medium voltage system, including manholes, duct banks and wiring.
3. Low voltage distribution system, including transformers, distribution switchboards, manholes, duct banks, seawall pull boxes and wiring.

4. Dock distribution system including gangplank cable and hose carriers, panel boards, transformers and wiring.
5. Upgrades to the telephone system, including hand holes, duct banks, seawall pull boxes, 911 call boxes on N dock and wiring.

The project went to bid on November 12, and on December 9<sup>th</sup>, the City Council approved a contract with the low bidder, Elcon Corporation of Everett Washington. The budget for the project is projected to be \$775,596. This amount should be enough to cover the base bid and the cost for the new service entrance provided by PSE. PSE has estimated the cost for providing a new service to be \$40,000, which would leave about \$78,000 for contingency. The project is scheduled to start in late January.

#### Redondo Boat Ramp Improvements

The last issue remaining between the City and the Contractor on the project has been resolved and the project is being closed out. There are some tasks that remain to be done that are outside the original contract. Those tasks are; procuring two more boarding floats for the north float string on the ramp, restriping some areas of the parking lot to make vehicle-trailer movement easier; relocating the floating breakwater to make it more effective and negotiating a solution to the problems with the concrete mat extension on the boat ramp with the Washington Department of Fish & Wildlife. The Marina staff expects to complete all of these projects in 2005.

#### Civil Matters

For the year ending December 31, 2004, the Legal Department has opened a total of 274 files for civil matters, primarily advisory work to assist the City's operating departments.

In a second lawsuit filed against the City by the Des Moines Marina Association and 90 additional plaintiffs, the City's outside WCIA counsel moved for a motion for summary judgment against plaintiffs. The City's motion was granted on December 17, 2004. On December 23, 2004, plaintiffs filed a motion for reconsideration and stay without oral argument. To-date, a decision has not been entered on plaintiff's reconsideration motion.

Regarding outstanding gambling taxes from gambling activities at a local business, the Assistant City Attorney prepared pleadings supporting the City's Motion for Summary Judgment and a proposed order granting a lien to be foreclosed against the subject real property in the approximate amount of \$105,296.46 (includes delinquent taxes, penalties and interest – the actual amount to be determined at the time of ruling). The proposed order requests that if the property is sold prior to the hearing date, that the proceeds of such sale be applied to payment of the delinquent taxes, penalties, interest and costs imposed and incurred as a result of gambling activities on the subject property.

#### Community Service Officer Report

During the month of December, CSO Seaberry reports preparing for the new crime free ordinance program and training that goes into effect into January. She also conducted a CPTED (Crime Prevention through Environmental Design) review and property visit at The Three Bears Motel for their business license endorsement. The owner of the motel

has done a good job bringing their facility in compliance with the ordinance requirements. She also conducted a follow-up with the ECAP (Early Childhood and Parent Collaborative) classes at Marvista and Olympic Elementary Schools. Each family was given a 30 minute car seat education and a free child restraint seat and installation. There were 14 families in attendance and 15 car seats distributed. CSO Seaberry also reports attending a crime prevention meeting with residents from the Waterford Condos. There were 10 residents in attendance. And last but not least, CSO Seaberry reports she and Officer Cathy Bumpus attended Lunch Bunch at Woodmont Elementary. They visited numerous classrooms and talked with students and teachers about law enforcement. As usual, they were a big hit with the kids.

Statistical Data on Reported Crimes

The following is a comparison between December 2003 and December 2004. Included are a year-end total for 2003 and a running total for 2004.

<b>Offense Type</b>	<b>December 03</b>	<b>December 04</b>	<b>% Difference</b>	<b>2003 Total</b>	<b>2004 YTD</b>
Homicide	0	0	0%	0	2
Rape	2	2	0%	14	13
Robbery	2	3	+50%	28	46
Assaults	22	17	-23%	287	289
Burglary	21	13	-62%	202	251
Larceny	42	57	+36%	518	658
Arson	1	0	-100%	1	7
Motor Vehicle Theft	30	45	+50%	289	393
<b>Other Statistics:</b>					
Officers Assaulted	2	0	-200%	7	5
Clearances Adult Arrest	20	22	+10%	320	358
Clearances Juvenile Arrest	7	1	-86%	50	58
Calls for Service	1,798	1,837	+2%	22,823	23,216

Des Moines Beach Park Master Plan and Historical Survey Updates

Architectural consulting firm Artifacts completed the Des Moines Beach Park's nomination for National Historic Designation in November. The project was reviewed on January 28, 2005. The Beach Park rehabilitation project overview, the Des Moines

Beach Park Conservancy and Advocacy Report and the nomination for National Historic Designation are on the City's web site home page for public information.

Project funding requests were submitted to Washington State Legislators Keiser, Upthegrove and Schual-Berke requesting \$2.6M capital funds to support for historic building rehabilitation.

Based on Council input, Consultant Project Management Northwest developed the "Community Heritage" option as the preferred option for the Des Moines Beach Park Master Plan and has prepared cost estimates for the rehabilitation of historic buildings located within the park. Progress on plan details; including parking, signage, paths, trails, and Overlook II Park was reported to Council on January 27, 2005.

The reports relate to present conditions in the park including building deterioration and tie-ins with improvements to the Marina and the Des Moines Creek Trail which are proposed or underway. Council's focus on economic development in the downtown area will also contribute to the Park's future uses.

#### Steven J. Underwood Memorial Park

Electric easements with Puget Sound Energy for the use of City and US Postal Service properties are completed. Staff ordered a survey of the alignment for the electrical easement to be included as part of the agreement between the City and PSE. The documents have now been notarized and returned from Puget Sound Energy. The electrical service and ballfield lighting project is near completion. Service connection will be completed by the end of January and the remaining portion of the project will be completed in advance of field opening in February.

#### Recreation Program Update

December Revenue	Year-to-Date	2003 YTD
\$30,173.71	\$552,726.56	\$508,040.28

#### Before and After School Program

During the month of December we had 96 registered Before and After School participants at Des Moines, North Hill and Parkside Elementary School in the Highline School District and Woodmont Elementary School in the Federal Way School District. We had another 74 children participate on a drop-in basis or on an early release day.

#### Youth and Teen Basketball League

Our 2004-2005 Youth and Teen Basketball is off and going again with the first games having taken place on December 11<sup>th</sup>. This year we have 505 kids currently participating on 56 different teams. Participants range from Kindergarten through 10<sup>th</sup> graders and all teams are coached by Volunteer coaches and sponsored by local businesses. Games are played at the Des Moines Field House, Pacific Middle School, Olympic Elementary School and Totem Junior High School and practices are conducted at numerous facilities throughout the Greater Des Moines Community.

### Senior Center Division Statistics – December 2004

	<b>2003</b>	<b>2004</b>
Number of Meals Served	767	1,005
Fee Program Participants	202	268
Drop In Participants	845	991
Volunteer Hours	1,596.75	2,060.5
Total Revenue for December	\$3,818	\$4,262

### Special Senior Services Events

For the 2004 holiday of giving, the senior center hosted the music program at Midway Elementary School. Donations of instruments, money and volunteers are being accepted through the end of January.

The senior center hosted their annual Holiday Lunch and Gift Exchange on Thursday, December 16<sup>th</sup> and had a sell out crowd of 140! Due to the huge response for this year's meal we went with a pre-reservation system for the first time. Many thanks to Council member Maggie Steenrod and the Godfrey family for their donation of our door prizes and holiday gift to each guest this year. Our very own Santa Claus, Ray Clark, was a hit again this year with "Photos with Santa".

A Happy New Year luncheon was also held on Thursday, December 30<sup>th</sup> with sparkling cider and noisemakers for those in attendance.

### Volunteer Support

We are still recruiting for a "Meals on Wheels" Coordinator to oversee the entire program for us. Police Chief Baker contacted staff about a Senior Volunteer Corps for the Police Department in 2005. Staff has recruited six seniors with strong office and communication skills to work with the police department during 2005. The team is roarin' and ready to go!!

### Des Moines Creek Basin Projects

The pre-load earth work for the berm of the regional detention facility is complete and the site is stabilized for winter. Next spring, the berm will be graded to its final elevation and the major excavation for the facility will begin. Also, in 2005, the stream bypass pipe will be constructed, utilizing the abandoned Midway Sewer pipeline. Completion of these projects is expected in 2006.

The Committee is evaluating alternatives for addressing the arsenic that resides in the soil of the excavation area of the proposed regional detention pond site. During the design phase, soil sampling revealed elevated levels of arsenic in the project area. The Committee will be presenting to Ecology an action plan to prevent arsenic impacts to water quality during the large scale excavation for the regional detention pond project and to protect water quality in the long term after the project is completed.

### Pacific Highway South Project

This project is nearing physical completion. Landscaping will continue during January. The contractor will monitor and replace plants/trees throughout the coming year. They also will be managing weed control until November 2005.

Staff and the project manager are working with the contractor on creating a list of the remaining work items on the project including: cleaning the entire storm drainage system, repairing curbs and sidewalks, installing remaining fences and railings, reconstructing some asphalt patches, and completing the landscape work.

The new dedicated right-turn lane from westbound Kent-Des Moines Road to northbound Pacific Highway South is open. The signs on the sign structure above the road have been relocated and the sign lights replaced and relocated.

There are several work items which will continue into 2005. These include:

- Additional wetland mitigation work near the Kent-Des Moines Road detention pond site; this work has to be done during summer per the permit requirements.
- Repair of damage to a private parking lot that was used for access to construct a retaining wall; this work includes fog seal which must be done in warmer conditions.
- Seeding of side slopes at the back of sidewalks; this work is required to be done between March and October.
- Landscape maintenance and replacement; a one year plant establishment period is required under the contract.

Weekly meetings are continuing between the various project managers for the City, contractor, consultant and utilities. Staff also met separately with Puget Sound Energy to complete the signing of various change orders on the undergrounding work for the project.

Staff and the Project Manager from CH2M Hill have begun to negotiate “close-out” change orders for the project. These change orders will address things like substantial increases or decreases in item quantities. Under the contract, prices can be adjusted (either up or down) for quantities which change substantially. Staff hopes to wrap up most of these change orders by April. Staff continues to work with the Finance Department in completing the various forms to provide final billings to each of the granting agencies.

### Block Grant Projects

Great progress is being made on the design portion of the South 216<sup>th</sup> Street pedestrian signal (Wesley Signal). The design is at 60% and staff is working on easement issues with Wesley Homes.

### Neighborhood Traffic Control Program (NTCP)

Petitions were circulated in the month of November for neighborhood approval of the 2004 NTCP projects at 8<sup>th</sup> Avenue South (200<sup>th</sup>-204<sup>th</sup>) and 20<sup>th</sup> Avenue South / South 229<sup>th</sup> Street (south of Mt. Rainier High School). We have not yet heard back from the residents who are circulating the petitions, so the project is presently on hold.

### S. 212<sup>th</sup> Street between Des Moines Memorial Drive and 7<sup>th</sup> Pl. South

Highline Water District had completed the South 212<sup>th</sup> Street pedestrian walkway.

### Highline School District

A SEPA appeal was filed by the School District regarding the Mt. Rainier High School mitigation. Specifically, HSD is contesting off-site improvements and walking trail requirements within its property. Staff has met with the District to discuss its position. We will keep working with the District on reaching a settlement.

The building permit plans for Mt. Rainier High School were submitted in December.

North Hill Elementary construction is moving along reasonably well. Work is currently focused on roofing, plumbing and electrical. The “dirt issue” isn’t finished, but has been managed in a way that alleviates flooding concerns of adjacent properties during the winter.

## **SUBDIVISIONS/ PUBLIC HEARINGS AND RELATED ACTIVITY**

- Blueberry Lane Planned Unit Development, 199XX Des Moines Memorial Drive 70+lot PUD. Staff is conducting a second pre-application meeting to determine the best layout for the project given the fact that the State DOT needs some of the Blueberry Lane property to build a freeway (SR509).
- Tobin Plat, 253xx 16th Ave. S, 6-lot subdivision. Preliminary plat and civil plans are approved. Applicant needs to construct improvements to move forward to final plat.
- Mediterranean Heights, 1211 S 272nd St, 11-lot subdivision. The applicant is asking to reduce the width of a 20 foot sewer easement. Staff discussed this at its weekly meeting and determined that the information on the preliminary plat cannot be changed. Staff called Mr. Ayar to inform him of this decision. Staff is also working on a building permit for a single residence to be located on one of the lots within the plat. This permit is on hold because it conflicts with the easement issue discussed above. It has been suggested that Mr. Ayar select a lot that isn’t complicated by the easement issue if he want the permit to proceed. Staff time is also being spent evaluating an additional and independent engineering report on the design status of the retaining wall.
- MacFarlane Homes Short Plat, 625 S 240th Street. Now processing permits for first 2 homes.
- Mitchell (Old Beck-Kombol lot line adjustment), 246th and 26th Avenue South. Building permits for all seven homes have been issued. (The 7th building permit was on December 16th.)

- Grande Family Trust Short Plat, 23127 Marine View Drive South. 3-lot short plat. This short plat will remedy a nonconforming situation where there are now three single family residences on two properties. The application was submitted on August 2, 2004. A notice of complete application was sent on August 27, 2004 and the public comment period ended on October 8, 2004. All department comments for the short plat and civil plan review were received on September 2, 2004. All comments and redlines were forwarded to the applicant during the second week of September. Revised Civil Plans, Survey and Street Maintenance Agreement submitted October 27<sup>th</sup>. The survey needs minor revisions and may be submitted in Mylar form, the street maintenance agreement and civil plans need to be revised and resubmitted. The applicant picked up the comments on November 9<sup>th</sup>. The street improvement bond, revised civil plans, street maintenance agreement and Mylar were all submitted on January 3, 2005.

#### Commercial Project Review

- Walgreens, 23003 Pacific Hwy. South, We have resolved the sign problem. Other issues relating to the wall mass and related issues have been discussed with the architect. It appears that the applicant is willing to redesign the wall and future office building to minimize impacts. No plans have been resubmitted.
- Oh Casino 258xx Pacific Highway South, 14,000 square foot Casino and Restaurant, Building permit was reviewed and approved by Development Services. Approval was qualified on the final submittal of an access easement.
- Ohrt, 218xx 20th Avenue South, 2.2 acre office/warehouse development, Paint, fit, and finish are underway for interior building space.
- Des Moines Parks and Recreation, 218xx 20th Avenue South, 15 acre City Sports Park- Only select perimeter areas have not been landscaped. Community Development and Parks staff walked the site and discussed specific landscape clusters for perimeter screening.
- Rainier Truck; 24225 Pacific Highway South, No change. The building permit has been approved by planning department. It appears that the City of Kent and the applicant are getting closer to reaching terms on the cost of in-lieu frontage improvements.

#### 2004 Shoreline Master Plan Update

The City of Des Moines has been awarded a grant to update its 1988 Shoreline Master Plan. Adolfson Associates have been chosen as project consultants for the SMP. Staff is working closely with them and the Department of Ecology on the first phase of the project. Staff received the draft inventory from Adolfson on December 2, and mailed it to Ecology on the same day. Staff has also sent a draft grant request to Ecology to apply for a CZM grant to cover public participation funding for the SMP. This will be reviewed by Ecology and a decision should be made by the end of January.

#### Wayne Bader Appeal, 21938 Marine View Drive South

The Hearing Examiner heard Mr. Bader's appeal on August 10<sup>th</sup>. The Hearing Examiner upheld Administration's denial of building permit application (B2004-0177) for a new

carport primarily because the appellant did not show any evidence of business activity on the property. Mr. Bader's LUPA appeal will be heard on February 28, 2005.

Highline Marine Center

The architects for the Marine Center contacted staff in late December with the apparent intent of submitting an application in January.

Code Enforcement

New cases 13  
Cases closed 41  
Cases currently open 113  
Total new cases, year to date 412  
Total closed cases, year to date 419

**BUILDING DIVISION**

Permit Activity for December 2004

128 permits issued:

Building Permits:	31	Average Fee: \$1,424
Plumbing Permits:	18	Average Fee: 75
Mechanical Permits	26	Average Fee: 79
Electrical Permits:	53	Average Fee: 96
<b>Total revenue for December 2004:</b>		<b>\$505,581</b>

Compared to same period last year:

63 permits issued:

Building Permits:	15	Average Fee: \$1,072
Plumbing Permits:	7	Average Fee: 103
Mechanical Permits	16	Average Fee: 88
Electrical Permits:	25	Average Fee: 117
<b>Total revenue for December 2003:</b>		<b>\$41,200</b>

Contracts signed in December:

The contract for the upgrades to the Marina Electrical System Project was signed in December.

A three-month extension of the Prosecuting Attorney's contract was signed in December, giving staff time to prepare a new contract for the remainder of 2005 and 2006.

Supplement 8 with INCA Engineering in the amount of \$49,947.87 for additional work needed to complete the Marine View Drive Bridge design and permitting.

Supplement Agreement for Construction Management with CH2M Hill

Bids, RFP's and RFQ's issued in December:

None

Bids, RFP's and RFQ's to be issued in January:

Puget Sound Energy agreement to provide a new electrical service to the Marina to be signed in January.

HVAC Upgrade – Council Chambers

Activity Center Exterior Improvements Project