

City Manager's Office

March 17, 2003

To: City Council

From: City Manager

Re: Monthly Report – February 2003

C Dock Maintenance

The Marina staff began the C dock maintenance project in January and as of the end of February all of the pressure treated wood whalers had been replaced. Marina staff will be replacing the electrical services and water lines in March.

Fishing Pier Repairs

On February 28th, the contractor repairing the Public Fishing Pier finished installing and grouting the steel pile jackets. The barriers that kept pedestrian traffic off the outer end of the pier were removed the evening of the 28th. There is a small amount of work that remains to be done on the pier. The contractor will pressure-wash the areas that have been repaired and apply a coat of epoxy sealer to the concrete patch. This work will be done as weather permits.

Power Distribution System Upgrades

The study phase of the Power Distribution System project got underway on February 12. The goals of the study phase are:

- Document the actual layout of the power distribution system and the current condition of the system and the docks.
- Recommend corrective action for any problems found.
- Determine the current demand for electric power.
- Develop projections for future demand.
- Identify critical code related issues.
- Determine the capacity needed for future projects listed in the Marina Master Plan.
- Determine if additional distribution equipment will be required on the docks, and if so, identify the code related issues that will need to be resolved in the design phase to accommodate the equipment.
- Prepare cost estimates for the total project.

At this writing, staff had met with the Consultant on two occasions and about one third of the tasks had been completed.

Emergency Management Plan

The Safety Board sub-committee that is working on updating the City's Emergency Management plan conducted an "Earthquake Hazard Survey" in March. Members of the Safety Board checked their respective work areas for conditions that could contribute to increased property damage or injury in an earthquake. The Safety Board Representatives checked for:

- Water heaters to see if they are properly secured.
- Top-heavy freestanding furniture and heavy or breakable objects on high shelves.
- Electronic equipment and small appliances that may slide off their cabinet or shelf.
- Hanging plants, mirrors and heavily framed pictures located in work areas.
- Toxic materials or solvents that are in breakable containers.

The staff also identified the locations for all of the utility shut-offs for each work area. This information will be used by the sub-committee working on up-dating the City's Emergency Management Plan.

Redondo Boat Launch

Only one submittal was received in response to the Request for Qualifications (RFQ) for construction management services. Reid-Middleton, the firm that prepared the improvement plans, was the only consultant to respond to the RFQ. Staff negotiated a scope of work with Reid-Middleton. This contract will be presented to the City Council for review at the March 27, 2003 meeting.

On February 6th, the City Council approved the Shoreline permits for the improvements at Redondo. The last approval needed is from the Washington State Department of Fish and Wildlife (DFW). We expect a decision on that permit in the upcoming weeks.

The Trust for Public Lands is still interested in working with the City and the Sola family to preserve the Sola property as public open space. A conceptual parking plan layout for the area adjacent to Wooton Park was included in the draft Park and Recreation Master Plan. Further work on the Sola property is awaiting completion of several maps by the Community Development Department.

E-Government

No changes were requested by the City Council on the draft website homepage. With the "look and feel" of the website decided, our consultant (CPF Marketing) is building the content pages of the website. This work continued throughout February and should be completed during March.

Comcast Cable Franchise

The Assistant City Manager and the City's cable consultant, Lon Hurd, presented an offer to Comcast that would resolve all remaining issues. Comcast's response has been delayed due to illness. We hope to conclude these negotiations within the next six weeks.

The new franchise (as proposed) would provide funds for upgrading the audio and video equipment in the Council Chambers.

Economic Development

Staff continues to work with Mr. Jack Spitz, an individual interested in establishing a cardroom along Pacific Highway South. Meanwhile, Walgreen's continues to study the Midway Furniture site. Staff continues to offer personalized service to anyone interested in investing in Pacific Ridge.

Gates Across Private Roads

There have been a number of requests for installation of gates across private roads. The Public Works staff is working with other City Departments in order to evaluate these requests.

Water District #54

The Public Works Director evaluated the preliminary plans for Phase II of the Water District #54 water tank project. This phase includes the complete pumping, controls, and monitoring system needed to bring the water up from the ground level tank to a pressure sufficient to serve the needs of the downtown Des Moines area. After the Water District responds to comments from the Washington State Department of Health and the City of Des Moines, they will submit their final plans for the project.

Pacific Ridge Lighting

The citizens on the North portion of the Pacific Ridge area have contacted the Public Works staff regarding their concern about lack of street lighting. The Engineering staff has been concerned for a number of years about the fact that when the electrical lines were placed underground on 28th, 29th and 30th between 219th and 216th, no street lights were installed. Over the years, a number of funding sources have been explored, but none have worked. After the Pacific Ridge ACORN group voiced a concern to City Council, Council directed staff to report on this issue to the Council Public Safety and Transportation Committee so that they can evaluate possible solutions to this problem.

Des Moines Creek Basin Projects

An on-site meeting was held with several of the permitting agencies. Feedback from the agencies was favorable, with only minor technical issues needing to be resolved. Letters have been received from US Fish and Wildlife Service and National Marine Fisheries indicating concurrence with the project biological assessment.

A special meeting was held with the Department of Ecology seeking concurrence for reducing the watershed standards, once the projects are implemented. The committee is evaluating whether it is possible to reduce the storm water detention standard from a King County Level 2 flow control standard to a Level 1 for new development within the Des Moines Basin. Due to the effectiveness of the facilities, a higher level of flow control may not be needed for a stabilized streambed. This may result in a required detention volume reduction of about 30% for new development within the Des Moines Creek Basin.

The Committee continues to work on the rough draft of the fourth Interlocal Agreement for construction and operation/maintenance of the facilities.

New Drainage Standards

Staff continues to develop supplementary materials for the existing drainage standards used by the City – the 1998 King County Surface Water Design Manual - for addressing issues that are uniquely pertinent to the City of Des Moines. The Environment Committee is scheduled to review a draft of the Supplement early this year.

NPDES Permit – Phase II

In accordance with the Federal Clean Water Act, Phase II cities with populations between 1,000 and 100,000 located within urban areas, such as Des Moines, must submit a National Pollutant Discharge Elimination System (NPDES) permit for the city's stormwater system permit application. The application would address EPA requirements for all discharges of the stormwater system to surface waters.

To be submitted in Des Moines' NPDES application will be the inclusion of existing programs that meet the NPDES requirements such as public education and involvement using the volunteer stream restoration and cleanup efforts. Storm drain stenciling by the Girl Scouts, as well as placing articles in the City Currents and making information available at the Neighborhood Meetings and through brochures issued out through WRIA 9 Forum are some of the methods. Additional programs will be using the City website for providing information regarding pollution prevention, completing the storm system inventory, adopting a maintenance and operation ordinance for public and private facilities, managing construction site runoff, and visually monitoring the discharges from the storm outfalls (nearly 100 of them city-wide). The use of best management procedures for parks and ground crew, road crews, and developing pollution prevention plans for the maintenance yard, vehicle maintenance shop and Marina will be required. Once a permit is issued, Des Moines will have five (5) years to fulfill those requirements.

Marine View Drive Fill/Water Seepage

As discussed in the last two monthly reports, there is (was) a serious water problem on the southbound lane of the Marine View Drive fill. This month, Des Moines and Normandy Park SWM crews replaced the drainage culvert that runs along the west side of the road. During this work, a significant amount of groundwater was encountered. As part of the work, an interceptor pipe was installed to funnel the water into the drainage system. This work appears to have eliminated the seepage on the road surface, and was confirmed when inspecting the nearby telephone manholes that were full of water. However, it is still unclear where the large volume of water is coming from. Water District 54 will be testing the water from the interceptor pipe to see if the water source is from their system.

The SWM works crews were commended for completing a very difficult task of replacing a culvert located near critical utilities. Maintenance crews from Normandy

Park were also thanked for their assistance and completing this joint project (some of the facilities were located within their boundary).

Pacific Highway South Project

In late February, Puget Sound Energy (PSE) submitted a draft set of undergrounding plans for inclusion in the review package being sent to the Washington State Department of Transportation (WSDOT). Although PSE had committed to completing their design in January, they did not meet this commitment. CH2M Hill is now reviewing PSE's plans for consistency with the rest of the project design plans. PSE, despite continued reminders, used an old base map for their design, so CH2M Hill is having to make many adjustments in the details for locations of facilities. PSE submitted new lighting plans on February 27th. These plans also conflict with PSE's undergrounding plans.

In February, the focus of work was again on right of way acquisition. Our consultant worked on site-specific issues concerning parking and business signing for several of the more complicated parcel acquisitions. Staff spoke with several property owners and their attorneys on an individual basis to discuss their concerns related to specific parking, signing, and acquisition issues. Condemnation cases have been filed on several parcels. Staff, with the assistance of our Legal Department, has continued to negotiate on these parcels, and is still in active negotiation on a handful of remaining parcels. Six parcels were approved for settlement at council in February.

Staff and CH2M Hill also held meetings to discuss the South Pond design located south of Kent-Des Moines Road in the City of Kent. The recently discovered high water table at the site has complicated the design and construction plans for this site. In January, CH2M Hill's geotechnical engineers made a recommendation for the construction of an above ground detention tank. After discussions with the Public Works Director for the City of Kent, it was determined that Kent had aesthetics issues with this type of facility. Kent has proposed that a joint pond be constructed at the upper location of the site. This area has better soil conditions. It is hoped that this solution will be advantageous for both cities. CH2M Hill is doing a feasibility analysis that includes borings and geotechnical reviews to ensure that the pond is a viable option. Upon completion of this analysis, staff will begin to negotiate with Kent for the design, construction, maintenance and property rights issues associated with the pond. Staff is reviewing this recommendation, and additional meetings will be set up with the City of Kent for March.

In January, council approved a contract for purchase and removal of the mobile homes. The homes were removed in February and the remaining clean-up work is being done.

Construction advertisement for the Pacific Highway South Project is currently scheduled for spring. The most difficult challenge to the schedule is completing any legal actions that may be necessary in situations where negotiations for land purchases have failed. A close second will be coordinating all of the utility relocations. Although we have draft plans from the utility companies, we do not have final plans from, or agreements with, Puget Sound Energy, AT&T, or Qwest.

16th Avenue South Improvement Project (Phase I)

On September 26, 2002, Council moved to have the project designed with underground utilities. This direction was given to our consultant who began contacting the utilities in November and December about coordination of the undergrounding process. A design agreement as required by the undergrounding tariff will be prepared for Puget Sound Energy's portion of the work. In January 2003, staff met with the consultant and began to prepare the scope for this design agreement. No additional work was done in February on this project since staff's time is dedicated to the Pacific Highway South project, and development projects. The design for this project is scheduled for completion in the spring of 2003. Staff continues to search for construction funding for this project.

South 216th Street / 24th Avenue South Signalization Project

In February KPG continued work on the South 216th Street / 24th Avenue South Signalization Project. Right of way needs have been established and staff will begin the ROW acquisition process. The Council Public Safety and Transportation Committee reviewed the design at their February 6th meeting.

Neighborhood Traffic Control Program (NTCP)

The temporary speed humps on 25th Avenue South have been installed. Minor striping issues have been addressed to increase visibility. Speed studies will be performed to determine effectiveness. Permanent speed bumps will be installed this summer.

Parks, Recreation and Senior Services Master Plan

The Ad Hoc Parks, Recreation and Senior Services Master Plan Committee made its preliminary presentation to City Council on February 27th. The Committee will meet again with City Council in April to discuss the plan further. Staff will provide the Draft Master Plan to City Council for review in March. The Plan recommends city and interlocal acquisitions, new development and repair and renovation projects and an accompanying financing strategy for implementation in 2003-2014.

Steven J. Underwood Memorial Park

Staff continues to work with the project Contractor and Engineer to complete Steven J. Underwood Memorial Park Phase I. Volunteer installation of the plaza and memorial will begin in the spring to be completed prior to the park dedication planned for July 2003. Phase I-B (third softball field and restroom facility) planning is underway. Staff will bring the landscape architecture and engineering consultant contract to City Council in March for approval. The project will be bid in May to be completed in fall 2003 and open for play in 2004.

Des Moines Activity Center

The Activity Center continues to progress nicely, all interior doors and most exterior doors have been hung and keyed. Kitchen appliance installation, flooring and plumbing is near complete as well. The main entrance electric ADA doors and other final touches are being completed in early March. Senior Services will move into the building the week of March 17th and the building will be open for business on March 24th. A ceremonial ribbon cutting and opening luncheon to welcome the community and thank City Council and project contributors is planned for 11:30 a.m. on Thursday, April 17.

Parks Operations

The Park Maintenance Department began February with general park clean up. The staff spent time going through city parks thoroughly to prepare them for spring. Baseball fields were prepared for the upcoming seasonal practices beginning the last week of the month.

The Sports Park received it first application of fertilizer and it is progressing well.

Staff has been very involved with the completion of the Activity Center remodel. The crew worked on numerous carpentry jobs such as sanding and staining woodwork, working with volunteers installing bathroom and meeting room cabinetry, painting the interior of the building and pouring new concrete at the building entrance. The Park Manager has been extremely busy with project oversight and supervising small works contractors to complete the parking lot asphalt installation, kitchen equipment installation and flooring installations.

Recreation Program Update

February Revenue	Year-to-Date	2002 YTD
\$34,969.17	\$63,227.61	\$56,879.53

On February 8th and 9th, Des Moines hosted the Second Annual Des Moines Hoop Classic Basketball Tournament in conjunction with the Hoops Northwest Basketball Tournament Series. There were a total of 54 teams participating from areas as far away as Beaverton, Oregon and Lynden, Washington. Teams ranged in age from 5th – 8th grade and there were various divisions for both boys and girls. Tournament games were played at the Des Moines Field House, Pacific Middle School, Mt. Rainier High School and Totem Junior High School.

Senior Center Division Statistics – February 2003

	2002	2003
Number of Meals Served	787	759
Fee Program Participants	500	548
Drop In Participants	1,885	2,272
Volunteer Hours	820.75	1,907.50
Total Revenue for February	\$7,078	\$6,024

Police Personnel

MPO Bob Tschida had transferred into the Investigative Unit for a one-year position in February of 2002. That one-year tenure ended on February 20, 2003 and Bob has transferred back to patrol. MPO Dave Mohr has been chosen to take over the vacant detectives position. The position primarily works cases dealing with property crimes,

such as burglary and theft. It also handles cases relating to pawned items that turn out to be stolen and Violations of the Uniform Controlled Substance Act (VUCSA).

Master Police Officer Bill Shepard had been working with the South County Enforcement Unit (SEU) since June of 2001. While MPO Shepard enjoyed working with the unit, he felt it was time to return to patrol duties with our department. Officer Barron Baldwin took over MPO Shepard's position on the South Enforcement Unit.

Officer Dave Hamilton, who is in the Army Reserves, is on standby for activation. He has been placed on alert but not been given the date of his activation or the location he will be going.

Sex Offender Notification Meeting

The Police Department held a public meeting on February 26th to inform residents of a registered sex offender moving into the city. The sex offender, Richard Lovejoy, was convicted of Rape 2 in 1988. Mr. Lovejoy will be living in the 25400 block of 22nd Avenue South and is a white male, 34 years of age, 5'10" in height and weighing 180 pounds. He has light brown hair.

The meeting was attended by approximately 35 persons, including Mr. Lovejoy's mother and sister. Mr. Lovejoy was recently released from prison for Possession of Methamphetamine for which he is also under the jurisdiction of Department of Corrections. Some of Lovejoy's criminal history includes Unlawful Possession of a Firearm, Escape, Theft and other misdemeanor crimes.

Update: Since the meeting, Mr. Lovejoy has decided not to move into the area, but has moved to Seattle instead. (Since Mr. Lovejoy still has relatives living in the city, this information is still being included in this report.)

School Resource Officer (SRO) Update

SRO Barry Sellers reports February as being a very busy month for him at Mt. Rainier High School. He attributed the increase in activity to it being the end of the semester and many students were feeling the pressure of exams. He also cites midwinter break and the return of several students who had been out on long-term suspensions as reasons for the surge in activity. One sporting event, a basketball game at Tyee High School, was given special attention because of past security issues with these two schools. According to SRO Sellers, "sporting events with Tyee often present security challenges due to gang issues at both schools". He further stated, "It seems that the students involved in gang activities often choose these games to start fights and make threats". Security personnel from both schools worked hard to make certain there were no gang colors visible and students were not permitted to loiter on the perimeter of the school grounds. Their diligence paid off, as there were no major incidents at the event.

Homeland Security

The Police Department receives continuing updates from the FBI and other federal agencies regarding the terrorist threat level and homeland security issues. Any

information that is relevant to our geographic area is forwarded through the appropriate channels.

Statistical Data on Reported Crimes

The following is a comparison between February 2002 and February 2003. Included are a year-end total for 2002 and a running total for 2003.

Offense Type	February 02	February 03	% Difference	2002 Total	2003 YTD
Homicide	0	0	0%	0	0
Rape	0	0	0%	12	2
Robbery	6	3	-50%	29	5
Assaults	22	20	-9%	274	43
Burglary	18	17	-5%	157	33
Larceny	33	47	+42%	510	92
Arson	0	0	0%	5	0
Motor Vehicle Theft	21	18	-14%	285	51
Other Statistics:					
Officers Assaulted	1	1	0%	6	2
Clearances Adult Arrest	22	25	+14%	276	50
Clearances Juvenile Arrest	3	5	+67%	52	5
Calls for Service*	1,460	1,686	+15%	24,963	3,601

*You will note an increase in the number of calls for service from the totals previously turned in. Traffic stops have not been considered a call for service in the past, but now are included in the total.

Finance Department Activities

Staff presented procurement policy outline to Finance and Economic Development Committee. Completed first draft of procurement policy.

Work continued on alternatives for Marina equalization of rates.

Finance staff continued work on public budget document.

Staff reviewed Masonic Retirement Center Economic and Fiscal Impact Study for the Community Development Director and advised the consultant on discrepancies in the report. Staff followed up with MRSC on whether City could assess on-going fee to mitigate financial impacts since projected tax revenues do not recover 100% of public services' costs.

Finance staff researched other city code sections on imprest funds for purposes of amending the City ordinance as follow-up to state auditor's recommendation and to review if current petty cash levels are adequate in response to Marina's request to raise their petty cash.

Staff determined that City utility taxes have not been assessed against electricity used by Marina tenants after reviewing PSE wholesale invoice for Marina electricity that had not imposed City utility tax. The Marina will begin to assess utility taxes at the same time moorage equalized rates take effect.

Finance staff met with SKC finance directors on discussion of impacts from Streamlined Sales Tax Project. The purpose of the project is to simplify tax collection efforts in order to collect sales or use taxes on remote sales. The major issue is the sourcing rule for allocating the sales tax. The sale will occur at the place of delivery rather than at the retail outlet. The City of Kent staff has prepared an analysis of the shift in taxes by jurisdiction. Des Moines will gain approximately \$821,000 in sales taxes as a result of the change in sourcing rule while the City of Kent will lose approximately \$3.8 million.

The Eden System Inforum Gold implementation kick-off meeting was held February 28. Discussion included project overview of system installation and setup and data conversion, roles and responsibilities, training facilities and sessions, standard forms, and schedule. Remote system installation is scheduled for March 17 and 18.

Plan Development Division

Based on City Council comments at the February 27, 2003 meeting, the Community Development Director will work with the Finance and Economic Development Committee to develop an economic development work program. It is anticipated that this action plan will be presented to the full Council sometime in April.

The Draft Environmental Impact Statement for the Masonic Retirement Center redevelopment was completed on scheduled in late February. We are still anticipating that the SEPA process will be completed by June. If all is successful, construction on this \$100 million project would start in 2005 with opening in 2007. For a project this size, that is a very aggressive time schedule.

The Community Development Director was asked to serve on the design committee for the new Mr. Rainier High School. However, due to potential conflicts of interest, she will serve in a technical advisory capacity only. The first meeting of the committee is scheduled in March.

Subdivisions/ Public Hearings And Related Activity

- Mediterranean Heights, 1211 S 272nd St, 11-lot subdivision. Applicant's engineer picked up redlined civil plans from the Community Development Department on February 6.
- Pacific Place Plat, S 268th Street and Pacific Hwy S, 34-lot subdivision. Civil plans were approved and issued on February 27. The major land clearing & grading permit was issued along with the approved civil plans. The developer needs to submit the bond for the improvements and may begin work on the road & storm water improvements at that time.
- Larose Lot Line Adjustment, 16th and 222nd Streets; A revised plan has been submitted which attempts to stay within "affecting the 2-4 parcel " rule. Staff needs to review and comment. Previous design iterations have been reviewed by the City Attorney and were determined to be inconsistent with the lot line adjustment process.
- Sunset Gardens (Deol) 12 lot subdivision; 25416 22nd Avenue South. The applicant has requested a SEPA determination. Staff informed the applicant that we cannot issue a determination until the parameters of a wetland mitigation plan are clearly understood and not co-mingled with the storm system. Comments were sent to the applicant on January 23. Staff had not received revised plans as of March 3.
- Jerry Coil 4 lot short plat; 25219 22nd Avenue South. Civil plans were approved on February 28. Applicant was contacted by Community Development on March 3 and informed that he the needs to resubmit mylar with two small changes.
- Allingham lot line adjustment, 27825 16th Avenue South. The applicant was informed on February 27 that he needs to reformat the drawing and resubmit it on mylar.
- Jerry Bergman Modified Short Plat, 23922 7th Ave S, 2 lot short plat. Street improvements are substantially complete. Final inspection by Engineering is still needed.

Commercial Project Review

- Zenith Viewpointe, Unclassified Use, mixed use condominiums/office space located at 23659 Marine View Drive S. No change. Clarity in the review process has now been achieved by virtue of legal department correspondence to the applicant/appellants. Staff would like to schedule hearings for this project but Planning Agency members must first be appointed so that we can follow the process of review outlined in the DMMC for unclassified uses.
- The Cliffs; 22226 Cliff Avenue South, new 12 unit condominium- A joint inspection was completed by development services and engineering staff. Development Services prepared a consolidated punchlist of completion items. Items are being addressed by the applicant one at a time. The mylar for the lot consolidation has been submitted and is expected to be approved any day now.

- Holy Trinity Lutheran Church, 2021 S. 260th Street, construction of a 21,000 square foot church- Construction is progressing, but still no final inspection.
- AT&T Cellular antennae application, 23407 18th Avenue South. Development Services has reviewed and approved plans. Plans have been reviewed and a building permit is set to be issued.
- Cingular Cellular antennae application, 25619 Pacific Highway South; Development Services has completed public notice, the staff report, and will present the application to the hearing examiner on March 10, 2003 for a decision.
- Bjorneby Auto remodel, 22001 Pacific Highway South. The permit has been issued and work has begun.

Shorelines/ESAs

- Scarsella Development Exception Application; 24335 7th Avenue South. As requested, the applicant has moved the wall back 10' from the edge of the cliff and has submitted an approval from King County for the septic tank. Applicant informed staff that landscaping should be installed in the beginning of March within the NGPE area.
- 22745 Marine View Drive South - Staff continues to work on this building permit application submitted in November 2002 (but received by the current staff member in January 2003). This application is for an addition and remodel to an existing duplex located in the Puget Sound and Massey Creek floodplains. Staff notified the applicant in late January that the requirements of the Flood Hazard Areas Code required a substantial amount of research and work on staff's part. Staff has been working with the applicant, FEMA, and the City's Storm Water Management official on making the appropriate determinations for this application under the Flood Hazard Areas Code.

Code Enforcement

Staff received 29 new complaints to respond to this month-- 22 cases have been closed for compliance. At the current time there are 117 open cases.

Blockhouse Trailer Park

The focus of a major clean-up process. One trailer has been "red tagged" for manufacturing of methamphetamine. This trailer has also been "green tagged" by King County. Three others have been "red tagged" for nuisance, garbage and raw sewage.

Pacific Highway So. – Midway Area

Staff has been working with graduate students at the University of Washington that are preparing a draft plan for the Pacific Highway South Sub-Area (the area between Kent-Des Moines Road and South 272nd Street). A public workshop was held on March 1. Staff received feedback from the community about the concerns they have and what they would like to see in the future for the Midway area. Thirty-four residents and business owners attended the meeting.

Building Division

Permit Activity for February, 2003

99 permits issued:

Building Permits:	34	Average Fee:	\$718
Plumbing Permits:	19	Average Fee:	110
Mechanical Permits	15	Average Fee:	358
Electrical Permits:	31	Average Fee:	185
Total revenue for February 2003:			\$59,432

Compared to same period last year:

62 permits issued:

Building Permits:	23	Average Fee:	\$447
Plumbing Permits:	4	Average Fee:	132
Mechanical Permits	14	Average Fee:	194
Electrical Permits	21	Average Fee:	262
Total revenue for February 2002:			\$24,901

Civil Matters

The City Attorney prevailed in the February 27, 2003 Wescot LUPA hearing in Superior Court, with the Judge ruling that the case be dismissed due to lack of subject matter jurisdiction. Congratulations, Linda! To-date, the Legal Department has opened 76 new files for civil matters, primarily advisory work to assist the City's operating departments.

The Des Moines Hearing Examiner ordered the forfeiture of \$2,923.00 in U.S. currency to the Police Department following an earlier drug asset forfeiture hearing. Staff prepared Findings of Fact, Conclusions of Law, and Orders of Forfeiture in three other forfeiture cases. In a case involving felony identity theft, preliminary Findings, Conclusions and Orders have been prepared to forfeit \$588.00 to the Police Department.

Staff spent considerable time researching, and responding to, various public disclosure requests.

Prosecuting Attorney Matters

The Prosecuting Attorney filed 377 infractions and 139 citations in February, 2003, which is a two percent (2%) increase over the same period last year.

Proposed Bids, RFQs, Etc.

A request for \$3,750 to participate in another **EDA grant** (this time for an import/export center at Highline Community College) will be presented to Council in March.

An **RFQ** for engineering and design work for the Dry Stack Storage Project was published in February. Council directed staff to proceed with the planning phase of this project at the meeting of February 6th. A design team will be selected in March.

A draft of the **RFQ** for the engineering, design and permitting of the Marina's Expanded Guest Moorage Project has been prepared. The Municipal Facilities Committee will review this RFQ before it is published.

Contract for construction management services for Redondo Boat Launch.

Bid advertisement for Redondo Boat Launch construction (possibly in April).

Staff will be using the Professional Services Roster **requesting services** from a land surveyor for surveying the property boundaries and drainage easement of the upper North Fork of McSorley Creek where the creek flows within a small 15-foot wide easement between several homes. The creek is currently overtopping and flooding the backyards of adjacent homes. This information will be used to evaluate options for possibly reestablishing that section of the stream channel, provided a permit is garnered from State Fisheries. The surveyor will also be requested to delineate the right-of-way south of 265th Street in preparation for the Marine View Drive/Woodmont Drive Culvert Replacement Project, a CIP project, which will be done this summer.

Staff will be using the Professional Services Roster **requesting services** for doing a utility rate study and efficiency study for the SWM Department. The contract will be submitted to council for approval in April.

Staff is negotiating with KPG for the 2003 Arterial Maintenance **project design**, and with CH2M Hill for **construction services** for the Pacific Highway South Improvement Project.

Landscape Architecture and Engineering and Construction Observation **Consultant Agreement**- Steven J. Underwood Memorial Park Phase I-B. – approved in March.

2003 Custodial **contract** for City Buildings - before Council in March or April.

Interlocal Agreement with Federal Way Public Schools for development and use of Woodmont Elementary School Soccer Field.

Bid award/Electrical Construction Contract- Steven J. Underwood Memorial Park Phase I.

Purchase agreement for Mowing Equipment (partially funded with 2003 King County Waste Reduction and Recycling Grant).

Bid award/Electrical Construction Contract- Field House.

Bid award/ADA Sidewalks Construction Contract- Field House

Contracts signed during February:

Redondo Boat Launch: **Grant agreement** with Washington State IAC.

The City Manager signed a **contract** with Reid Middleton to revise and prepare the bid documents for the 10th Avenue Culvert Replacement Project. The project is to be bid next month.

The City Manager signed a **contract** with AMEC Environmental for continuing the operation and maintenance and groundwater testing of the Public Works Yard Underground Fuel Storage Tank Remediation Project.

In February a **supplement to the agreement** with the Transpo Group to cover the cost of their presentations to the City Council on the Transportation Comprehensive Plan and Transportation Impact Fees was signed.

Equipment purchase and system lease agreements for Activity Center Phone and Data systems.

Activity Center Flooring Installation **contract**.