



**FRIDAY COUNCIL RECAP**

January 8, 2021

The following items were approved and/or discussed at last night’s meeting.

**ADMINISTRATION REPORT**

**Item 1: FORTERRA GREEN DES MOINES PARTNERSHIP**

Ali Lakehart, Green Cities Senior Project Manager with Forterra gave a power point presentation to Council on Growing a Regional Network of Healthy Urban Forest to Council. You can watch the presentation from the City’s website: [Meeting Video | Des Moines, WA - Official Website](#)

City Manager Michael Matthias gave a brief history on the Landmark on the Sound.

**CONSENT CALENDAR**

The following items were approved by Council 6-0 (Councilmember Martinelli was absent):

**Item 1: Approval Of Vouchers**

Total A/P Checks/Vouchers	#161668-161858	\$ 981,649.59
Voided Checks	#161814-161814	\$ (10,033.00)
Electronic Wire Transfers	# 1569-1583	\$2,006,239.83
Payroll Checks	# 19393-19393	\$ 205.10
Payroll Direct Deposit	#490001-490143	\$ 392,314.23
Payroll Direct Deposit	#510001-510138	\$ 386,728.81
Total Checks and Wires for A/P and Payroll:		\$3,757,104.56

**Item 2: Highline School District Right-Of-Way Dedication and Trail Easement Dedication**

Pursuant to RCW 35A.11.010, code cities may, through its legislative body, purchase, lease, receive, or otherwise acquire real property to hold, convey, or otherwise dispose of for common benefit. Pursuant to DMMC 3.80.030, the City Council shall approve all nonmonetary donations with value of \$20,000 or more, and all donations of real property, to the City of Des Moines.

The property owner, Highline School District No. 401, has constructed Des Moines Elementary at 23801 16<sup>th</sup> Avenue South under the City of Des Moines Building Permit BLD2018-1379 and Grading Permit LUA2017-0047. As a condition of the building permit and grading permit, the owner was required to dedicate a portion of the private property to the City for Right-of-Way purposes as identified in Attachment 1.

In addition to background above, Highline School District No. 401, has constructed Des Moines Elementary frontage improvements along 16<sup>th</sup> Avenue South which has included a portion of the Barnes Creek Trail under critical area review LUA2019-0029. As a condition of this review, an existing wetland will be retained in the proximity of the trail and Massey Creek, ultimately resulting in a meander of the trail alignment.

The dedication of Right-of-Way is required to adjust the property line such that the newly constructed frontage improvements associated with Des Moines Elementary are located within City Right-of-Way. Portions of the current sidewalk, trail, street lighting, curb ramps and franchise utilities along South 240<sup>th</sup> Street and 16<sup>th</sup> Avenue South were constructed on Highline School District's property with the condition they be dedicated to City Right-of-Way upon completion and acceptance.

The future Trail Easement is required to allow the City access for operations and maintenance to that portion of Barnes Creek Trail that currently is constructed and located on Highline School District No. 401 property. Highline School District No. 401 is concluding the construction of their required frontage improvements, which includes this portion of Barnes Creek Trail under a City Right-of-Way Use Permit. It is the intent if the District and City to determine the exact Trail Easement needs once all work is complete and develop a survey Legal Description and Exhibit to be recorded for the Trail Easement.

There is no financial impact to the City.

**Item 3:           Amendment #1 to the 2019 Inter-Local Agreement with King County for Conservation Futures-Funded Open Space Acquisition Projects**

In 1989, the King County Council established a Conservation Futures Levy Fund to provide for the receipt and disbursement of Conservation Futures ("CF") tax levy proceeds to King County, the City of Seattle, and suburban cities and established conditions for use of the Fund, including conditions covering allowable cost and expenses. Beginning in 1990, King County executed Inter-local Cooperation Agreements ("ILA") with roughly thirty King County Cities to allow for disbursement and administration of CF funds.

In 2019 the County streamlined the approval process and executed new inter-local agreements with the cities within King County to facilitate the new County process. Des Moines executed this inter-local agreement in connection with the first phase of the Midway Park expansion project.

Inter-local Cooperation Agreements remain in place with an indefinite term for the projects for which Conservation Futures proceeds are disbursed. The agreements require the properties to be maintained as open space in perpetuity. The first phase of the Midway Park expansion project was fully funded by CF funds, and the first two acquisitions are now complete.

In November 2020, the City was notified that the King County Council had approved additional Conservation Futures funding for the City of Des Moines' Midway Park Expansion Phase 2 project, in the amount of \$1,890,000. With an approved match waiver, this grant will fully fund the acquisition of two additional parcels, for a total acquisition of four parcels adjacent to Midway Park once the purchases are complete in 2021.

The CFT match waiver program funds projects that provide open space in the most under-served parts of the county, where “past history of inequities, discrimination, injustices, and limited regional investment is evident today.” Providing a match waiver is intended to help “eliminate disparities in access to public open spaces and trails in communities with the greatest and most acute needs.” (*King County Land Conservation Advisory Group, Final Report*).

This funding was approved contingent on execution of an ILA amendment consistent with the terms set out in King County Ordinance 18978. Prior to receiving the funds, the ILA amendment must be approved and executed by King County and the City.

The City Council received periodic updates related to the Midway Park expansion project in 2019 and 2020.

Approval and execution of this ILA will allow the City to receive \$1,890,000 for the second phase of the Midway Park expansion project. This application received a match waiver, meaning that there is no local match requirement.

#### **Item 4: 2021-2022 Recycling Program Grant Funding**

##### Grants

The subject grants will fund, in part, the City’s semi-annual Household Waste Collection and Recycling Events for 2021 and 2022. The Washington State Department of Ecology’s Local Solid Waste Financial Assistance Agreement (LSWFA) funds the remainder of the program. The current LSWFA grant is effective through June 2021.

##### Professional Services Contract

Related to these grants is the City’s Professional Services Contract with Olympic Environmental Resources (OER) for the 2020-2021 recycling program. No additional action is needed to keep this Professional Services Contract current. OER provides staffing and management for the Spring and Fall Household Collection and Recycling Events at the Des Moines Marina. These are popular events among Des Moines residents as they provide a local site to recycle materials, including some that are not accepted by the curbside recycling program. The Spring 2020 event was canceled due to COVID-19 restrictions and uncertainty. A joint business recycling event with Normandy Park and Burien was held in its place in July 2020. The Fall 2020 event attracted 675 carloads of recyclable material totaling approximately 49 tons.

The City uses grant funds to sponsor recycling and collection events for Des Moines residents and businesses. For the 2021-2022 Recycling Program, the City will sponsor two residential recycling collection events per year (i.e. the Fall and Spring events). A portion of the WR/R grant funds will be allocated for the purchase of products made from recycled materials, such as park benches or solid waste container surrounds. New language was added to the LHWMP contract that would allow for grant funds to be used for hazardous waste education should forces outside the City’s control prevent a collection event from occurring.

The agenda item seeks City Council approval of the 2021-2022 LHWMP contract and the 2021-2022 WR/R contract. The LHWMP grant will allocate \$32,544.74 for household recycling collection events in 2021-2022. The WR/R grant will allocate \$40,064.00 for household recycling collection events for 2021-2022.

The City will continue to reduce the amount of hazardous and non-hazardous materials going into the local waste stream at no additional cost to the City. Action/acceptance of these grants must be submitted to the grantor agencies by January/February 2021 in order to secure grant funds and to schedule the Spring 2021 residential recycling event.

Household Collection and Recycling Events – For over 20 years, the City has used grant monies to sponsor semi-annual Household Waste Collection and Recycling Events. The Spring and Fall Events have proven to be exceptionally popular among Des Moines residents because they provide a local site to recycle materials that are not accepted by the curbside recycling program. Residents are able to recycle tires, lead acid and alkaline batteries, cardboard, reusable household goods and clothing, porcelain toilets and sinks, appliances and scrap metal, bulky wood, electronic equipment and mattresses and box springs. Additional/substitute items continue to be explored as the number and type of materials collected curbside have increased under the solid waste contract that began collection on November 1, 2011.

There will be no fiscal impact to the City related to Contract Numbers 6052 EHS and 6203476.

**Item 5: Des Moines Marina Maintenance Dredging Project –Change Order No.1**

At the January 23, 2020 meeting, the City Council approved a contract with American Construction Company from Tacoma, Washington for performing maintenance dredging in the Marina's entrance channel. American Construction's bid for the work, including the additive alternate for waiting until November to do the work was \$137,272.68. The City's consulting engineering firm, Anchor QEA reviewed the bid and recommended that the City award a contract to American Construction for the job.

When Anchor QEA started the design and permitting effort in early 2019 they relied on a survey done in April of 2019 to estimate the volume of material that would need to be removed to restore the original dimensions of the entrance channel. At that time, Anchor estimated the volume at 4,160 cubic yards, (CY). That estimated volume included approximately 3,300 CY of material that needed to be removed to restore the original channel dimensions and approximately 900 CY of "payable over dredge". What that means is that the City set the contract up to pay the contractor to dredge the channel up to 1 foot deeper than the design depth of -13 ft. to make sure that the channel was at least 13 feet deep everywhere at a zero tide. In a typical job, a contractor will end up taking somewhat less than the "total payable volume", usually about 90% of the total.

Because the project permits were delayed for so long, staff expected that more material would have been deposited in the channel. The pre-dredge survey done by the contractor confirmed that there was about 250 CY more material in the channel than discovered by the 2019 survey. 250 CY corresponds to the natural rate of sediment accumulation in the channel. At the start of the project the engineers and the staff expected the “final pay volume” to be over the original estimate by some small amount. Comparing the pre and post-dredge survey shows that the “payable volume” is 4,238 CY an increase of about 80 CY over the original estimated amount.

The authorized expenditure for this project is \$137,272.68. Change Order No. 1 will add \$924.00 to the current authorized amount of \$137,272.68 for a new authorized amount of \$138,196.68. The additional authorization will be enough to pay for removing the relatively small amount of additional material.

Next City Council Meeting: January 21, 2021