



AGENDA MEMO – ADDED (REQUEST TO AMEND AGENDA)

Needs Legal Review: Yes
Council Meeting Date: April 21, 2021
Agenda Item: WSDOT Agreement for Parklets
Presented By: Jan Brending, Clerk Treasurer

Action Required

Retroactive authorization to sign agreement with Washington Department of Transportation for use of parking along Highway 141 for parklets.

Proposed Motion

Move to retroactively authorize mayor to sign agreement with Washington Department of Transportation for use of parking areas along Highway 141 for parklets.

Explanation of Issue

Washington State Department of Transportation (WSDOT) allowed cities to use portions of state highways for parklets last year. They agree to allow these parklets again this year but with a signed agreement. WSDOT allowed the parklets to be installed prior to having a signed agreement in place. Ken Woodrich and the city's risk management insurance agency (AWC RMSA) reviewed the agreement. AWC RMSA had no problems with the agreement language including the indemnification clause. However, they are recommending the city enter into agreements with each of the businesses for which parklets have been installed. RMSA will be providing some suggested agreement language, and this will be brought to the council at the May 3 council meeting.

The WSDOT includes language in it regarding signage which is not pertinent to our use of the roadway as we are not entirely closing the highway. However, the agreement expires within 90 days of the date of installment of the parklets and will need to be renewed most likely twice before the parklets are anticipated to be removed at the end of October.

The Mayor and WSDOT have signed the agreement which is attached.

Staff Recommendation

Staff recommends the city council retroactively authorize the mayor to sign the agreement with WSDOT for use of Highway 141 (Jewett Blvd) parking areas for parklets.