

## MINUTES

### REGULAR MEETING DES MOINES CITY COUNCIL

21630 11<sup>th</sup> Avenue South, Des Moines, City Council Chambers

August 30, 2012 - 7:00 p.m.

CALL TO ORDER - Mayor Kaplan called the meeting to order at 7:00 p.m.

PLEDGE OF ALLEGIANCE – The flag salute was led by Councilmember Sheckler.

#### ROLL CALL

Present were Mayor Dave Kaplan; Councilmembers Dan Caldwell, Melissa Musser, Jeanette Burrage, Bob Sheckler and Carmen Scott.

Mayor Pro-Tem Pina was absent. Councilmember Scott moved to excuse Mayor Pro-Tem Pina; Councilmember Musser, second; all the votes were ayes.

Staff present were City Manager Tony Piasecki; Assistant City Attorney Tim George; Planning Building and Public Works Director Grant Fredricks; Police Chief George Delgado; Finance Director Paula Henderson; Finance Operations Manager Cecilia Pollock; Parks Recreation and Senior Services Director Patrice Thorell; Assistant Director of Transportation and Engineering Dan Brewer; Senior Planner Jason Sullivan; Contract Engineer Len Madson; Judge Veronica Alicia-Galvan; Economic Development Manager Marion Yoshino; City Clerk Sandy Paul

#### COMMENTS FROM THE PUBLIC:

Tony Hettler, 22506 Marine View Drive South, reported that Destination Des Moines President Brad Hawthorne resigned. Susan Goegebuer will continue to serve as Treasurer; Toni Obermyer will serve as Secretary; Joel Pritchard will be Vice President; and Tony Hettler, will be the new President.

JC Harris, 21834 12<sup>th</sup> Avenue, spoke about an excess of litter in Des Moines. He moved to Des Moines for the quality of life: affordable housing, good schools, and decent services. He expressed his angst that as people age and move out, a younger demographic is moving in which cares too little about tossing litter and garbage and not taking care of their property. He asked the City to step up efforts to improve tidiness.

Martin Matz, 1636 South 260<sup>th</sup> Street, is running for State Representative in District 2. He spoke about his legislative platform.

Jeff Miller, 401 5<sup>th</sup> Avenue, Seattle, from the Mental Health Chemical Abuse Services Division of King County, spoke about substance abuse and supporting national Recovery Month.

Barbara McMichael, 22810 Thunderbird Drive, spoke about the return of salmon to the city's streams (the Salmon Homecoming Project).

#### BOARD & COMMITTEE REPORTS/ COUNCILMEMBER COMMENTS

Councilmember Scott

- Spoke about attending the monthly Des Moines Farmer's Market meeting as Council liaison. She reported sales are double last year and people are coming from farther away than Des Moines
- Reported that the Finance and Economic Development Committee elected Mayor Pro-Tem Matt Pina as Chair

Councilmember Burrage

- Spoke about the South County Transportation Board which met on August 21, 2012, where the Strategic Plan for the Port of Tacoma was discussed.

Councilmember Musser

- Highline School District schools opened today. She urged care and safety in school zones.
- Commented on the contributions of Policy Analyst Sue Anderson's work on the HEAL grant and Highline Communities Coalition

Councilmember Caldwell

- Spoke about the city's Walking Audit
- Called attention to noise and acoustics in City Hall Council Chambers and Senior Activities Center
- He walks daily and commented on the lack of toilet facilities

PRESIDING OFFICER'S REPORT

- Reported on the PS&T meeting last week
- Spoke about the wonderful people in the community who volunteer. He expanded his comments to include the volunteers also serve in the military. He mentioned Sean Carson from Des Moines who died in a helicopter crash in Afghanistan

ADMINISTRATION REPORTS

- An acoustics engineer will do an analysis of acoustics in the Senior Activities Center and Council Chambers
- Dan Brewer spoke about extending the South 216<sup>th</sup> Street project to include the revolving art project permanent bases for art works. This would jump start the roving public art program. Placement of one permanent base would be located at 20<sup>th</sup> Street South and South 216<sup>th</sup> Street at the Activities Center. City public works staff would do the design work saving the Arts Commission some money.

CONSENT AGENDA

Item 1: APPROVAL OF MINUTES

Motion is to approve the minutes of the meeting of August 9, 2012.

Item 2: APPROVAL OF VOUCHERS

Motion is to approve for payment vouchers and payroll transfers described as follows:

Claim checks **\$1,040,409.28**

Payroll fund transfers in the total amount of **\$447,257.01**

Total certified Wire Transfers, Voids, A/P & Payroll vouchers are **\$1,487,666.29**

Item 3: DRAFT RESOLUTION 12-124 – MODIFICATIONS TO SCORE'S CITY OF ORIGIN RELEASE PROGRAM FOR CITY OF SEATAC (SeaTac City Manager to Attend)

Motion is to approve Draft Resolution No. 12-124 authorizing the addition of the Sound Transit Community Access Point at South 176<sup>th</sup> Street to SCORE's City of Origin Release Program for inmates released to the City of SeaTac.

Item 4: TRANSPORTATION GATEWAY PROJECT CONSULTANT AGREEMENT

SUPPLEMENT: RIGHT-OF-WAY ACQUISITION SERVICES FOR THE SOUTH 216<sup>TH</sup> STREET PROJECT (SEGMENT 1A: 24<sup>TH</sup> AVE. S. TO 29<sup>TH</sup> AVE. S.) - PARCEL NUMBER 48

Motion 1 is to approve Supplement #7 with KPG Consulting Engineers, Inc., to complete the Right-of-Way Plans and Preliminary Funding Estimate (PFE) for the South 216<sup>th</sup> Street Project (Segment 1a: 24<sup>th</sup> Avenue South to 29<sup>th</sup> Avenue South) in the amount of \$29,958.69 bringing the total Agreement amount to \$2,270,779.63, and further authorize the City Manager to sign the contract supplement substantially in the form as submitted.

Motion 2 is to approve Supplement #8 with KPG Consulting Engineers, Inc., for work related to Right-of-Way

Acquisition Services for Project Parcel 48 in the amount of \$39,125.77 bringing the total Agreement amount to \$2,309,905.40, and further authorize the City Manager to sign the contract supplement substantially in the form as submitted.

Item 5: DRAFT RESOLUTION 12-118: FUNDING CERTIFICATION FOR SOUTH 216<sup>TH</sup> STREET (18<sup>TH</sup> AVENUE SOUTH TO 24<sup>TH</sup> AVENUE SOUTH) IMPROVEMENT PROJECT  
Motion is to approve Draft Resolution No. 12-118 certifying to the Washington State Transportation Improvement Board (TIB) that local funding is secured, authorize the City Manager or his designee to sign the TIB Project Funding Status Form and Fuel Tax Grant Distribution Agreement, and further authorize Administration to advertise the South 216<sup>th</sup> Street Segment 2 (18<sup>th</sup> Avenue South to 24<sup>th</sup> Avenue South) Improvement Project for construction bids upon completion of utility agreements.

Item 6: PROCLAMATION SUPPORTING NATIONAL RECOVERY MONTH  
Motion is to support National Recovery Month by passing the proposed proclamation.

Item 7: INTERLOCAL AGREEMENT BETWEEN THE CITY OF DES MOINES AND THE HIGHLINE SCHOOL DISTRICT FOR A SCHOOL RESOURCE OFFICER (SRO)  
Motion is to approve the agreement between the City of Des Moines and the Highline School District continuing the School Resource Officer Program under the terms as described in the attached Interlocal Agreement, and to authorize the City Manager to sign the Agreement substantially in the form as submitted.

#### ACTION/DIRECTION

Councilmember Musser move to adopt the Consent Agenda; Councilmember Caldwell, second. The motion passed, 6-0.

It was mentioned that the Student Resources Officer (SRO) would be 'roving' and would serve Aviation High School, as well as Mt. Rainier High.

#### PUBLIC HEARING

1. DRAFT RESOLUTION 12-130 – ADDENDUM TO THE SEAMAR DEVELOPMENT AGREEMENT INCREASING NUMBER OF AFFORDABLE HOUSING UNITS

Mayor Kaplan opened the public hearing at 7:45 p.m.

Senior Planner Jason Sullivan provided a brief presentation of progress on the Sea-Mar project. The requested addendum to the existing Development Agreement was necessitated by SeaMar pursuing a 4% Low Income Housing Tax Credit rather than a 9% Low Income Housing Tax Credit.

Mayor Kaplan read the rules of the Public Hearing into the record.

Mayor Kaplan asked that those wishing to speak please do so at this time. Roger Valdez spoke about the SeaMar project. He expressed appreciation and thanks for the City's consideration of this project.

Mayor Kaplan called three times for anyone else wishing to speak. Mayor Kaplan opened up questions to the City Council.

Mayor Kaplan closed the Public Hearing at 7:51 p.m.

Mayor Kaplan asked staff if there had been any misrepresentation of the facts. There were none.

#### ACTION/DIRECTION

Councilmember Musser moved to approve Draft Resolution No. 12-130 directing the City Manager to sign the First Addendum to the Sea-Mar Development Agreement substantially in the form as submitted; Councilmember Caldwell, second. The motion passed 5-1. Councilmember Scott voted no.

Mayor Kaplan read the Resolution as approved into the record.

#### OLD BUSINESS

1. SECOND READING BUDGET AMENDMENT DRAFT ORDINANCE NO. 12-105

Finance Director Paula Henderson highlighted revenue changes since Council last discussed the budget amendment ordinance on July 26, 2012.

#### ACTION/DIRECTION

Councilmember Musser moved to enact Draft Ordinance No. 12-105, relating to municipal finance, amending the 2012 budget adopted in Ordinance No. 1529; Councilmember Caldwell second. The motion passed 6-0.

Mayor Kaplan read the ordinance title into the record.

2. BUDGET PROCESS

City Manager Tony Piasecki presented the City Council's goals and the supporting activities which each department/division performs to promote those goals. Councilmembers rated each item, 1-10, using half numbers, e.g., 6.5, if they wished. Once each activity linked to a goal is ranked, averages are calculated, and the priorities sorted prior to costs for those activities being assigned. Findings will be used to determine how to budget for 2013.

#### ACTION/DIRECTION

A complete prioritized list will be ready for discussion at the September 13 City Council meeting. No other action was taken; this presentation was for information only.

#### NEW BUSINESS

1. FINANCIAL UPDATE – YEAR END 2011/EARLY 2012

Finance Director Paula Henderson updated the Council on year end revenues and expenditures 2011 showing a series of charts and graphs depicting revenues with a similar presentation on expenditures dating back to 2007.

Following was a 2012 year-to-date financial report. Revenues shown were 4.25% below last year at the same time at 48% of the budget year being completed. Expenditures shown were 2.1% above projections. All 3 funds are below revenue stabilization levels, but a positive cash balance is shown.

#### ACTION/DIRECTION

This presentation was for information and discussion only. No action was required.

2. DRAFT ORDINANCE B&O TAX ECONOMIC DEVELOPMENT INCENTIVE

B & O tax provides over \$600,000 in revenues to the City of Des Moines. Other cities have a higher threshold at which businesses are exempt from paying B & O tax. Economic Development Manager Marion Yoshino presented to the City Council a proposal to relax B&O tax requirements for new businesses in Des Moines. With some south sound cities not charging a B & O tax, the tax may factor in when a new business is making a choice of a prospective location in which to conduct its business.

The proposed exemption must be for physical businesses located in Des Moines beginning in 2012 through the end of 2015.

#### ACTION/DIRECTION

Councilmember Musser moved to waive Rule 26(a) to pass Draft Ordinance No. 12-063 on first reading; Councilmember Caldwell, second. The motion passed/failed 6-0 .

Councilmember Musser moved to enact Draft Ordinance No. 12-063 amending DMMC 3.84.100 establishing an exemption to the B&O tax of three years for new businesses that physically locate in the City of Des Moines before December 31, 2015; Councilmember Burrage, second. The motion passed 6-0.

Mayor Kaplan read the ordinance title as enacted.

NEXT MEETING DATE            September 6, 2012, City Council Regular Meeting

ADJOURNMENT

There being no further business to come before the City Council Councilmember Burrage moved to adjourn; Councilmember Scot, second. The motion passed, 6-0.

The meeting was adjourned at 8:45 p.m.

Respectfully submitted,

Sandy Paul

CMC  
Clerk

City