

## MINUTES

**DES MOINES CITY COUNCIL  
REGULAR COUNCIL MEETING  
City Council Chambers  
21630 11<sup>th</sup> Avenue South, Des Moines**

**January 5, 2017 – 7:00 p.m.**

### CALL TO ORDER

Mayor Pina called the meeting to order 7:00 p.m.

### PLEDGE OF ALLEGIANCE

The flag salute was led by Councilmember Bangs.

### ROLL CALL

Council present: Mayor Matt Pina; Mayor Pro Tem Vic Pennington; Councilmembers Melissa Musser, Jeremy Nutting, Luisa Bangs, Robert K. Back and Dave Kaplan.

Staff present: City Manager Michael Matthias; City Attorney Tim George; Chief Operations Officer Dan Brewer; Assistant Building Official Rex Christensen; Transportation & Engineering Services Manager Andrew Merges; Assistant City Attorney Matt Hutchins; Public Works Director Brandon Carver; Professional Standards Sergeant Doug Jenkins; Police Chief George Delgado; Harbormaster Joe Dusenbury; Assistant Harbormaster Scott Wilkins; Parks, Recreation & Senior Services Director Patrice Thorell; Finance Director Dunyele Mason; Surface Water and Environment Engineering Manager Loren Reinhold; City Clerk Bonnie Wilkins.

### CORRESPONDENCE

- There were no correspondences.

### COMMENTS FROM THE PUBLIC

- Bob Pond; Commercial rezone.
- Mt. Rainier High School ASB Student Body; Mt. Rainier High School happenings.
- Mary Eun, Des Moines; NextGen Resolution.
- Rick Johnson, Des Moines; Vision, Mission and Strategic Objectives.
- Matt Mahoney, Des Moines; Crime and Block Watch.

### BOARD AND COMMITTEE REPORTS/COUNCILMEMBER COMMENTS

Mayor Pro Tem Pennington

- Public Safety & Transportation Committee meeting.

Councilmember Kaplan

- South County Area Transportation Board meeting:
  - Transportation Futures Taskforce Findings.
  - Plan was adopted 2010.
  - Updates adopted in 2018.
  - Connectivity from Angle Lake Light Rail Station to Marina District.
- Public Safety & Transportation Committee meeting.
- Executive Committee meeting for State Route 509.
  - Information sent to Council from Staff.

Councilmember Back

- Block Watch information in the next City Currents.
- Thanked Mt. Rainier High School leaders.

Councilmember Bangs

- Complimented Mt. Rainier High School ASB Leaders.
- Public Safety & Transportation Committee meeting:
  - 2017 work plan.
    - Published online within the next two weeks.
  - ADA Transition Plan Open House.
    - February 8, 2017.
    - Flyer on City web-site.
  - Pavement management report.
    - Pavement Management Survey and Analysis.
  - CIP Projects.
    - 6 projects submitted for grants/1 awarded.
  - Right of Way Vacation Request.
  - Police Department update.
    - Crime Analytic software being installed.
  - Metro Pilot Program.

Councilmember Nutting

- Thanked Mt. Rainier ASB Student Body for attending.
- Thanked Public Works for snow/ice mitigation.

Councilmember Musser

- Thanked Bob Pond for attending and speaking.
- Thanked Mt. Rainier Students for attending.
- Thanked Matt Mahoney for speaking about North Hill mail theft/crime.
- Food Bank commercial freezer stopped working.
  - Immediate need for replacement.
  - [www.myfoodbank.org](http://www.myfoodbank.org) to donate.

### **PRESIDING OFFICER'S REPORT**

- Impressed with the leadership at Mt. Rainier High School.
  - Gave City lapel pins to the ASB Student Body Officers.
- Wesley Gardens State of the City address.
- Recology Utility Tax Adjustment.
  - Recology billing error, not a new tax.
- Two leader in the community recently passed away:
  - Norma Somers, owner of Johnny's IGA.
  - Earline Byers, writer for Des Moines news.
- Sustainable Aviation Biofuel seminar.
- Port of Seattle workshop for Local, Small and Disadvantaged Businesses.
- Thanked the Public Works Department for snow and ice mitigation.
- Report from Bill Linscott regarding Marina District Neighborhood.
- Council Rules/update by City Attorney George.

### **ADMINISTRATION REPORT**

- New pay scale set for extra hires which is in line with the new minimum wage.
- Meeting with Dr. Susan Enfield, Highline School District Superintendent regarding the disposition of Des Moines Elementary School.
- Attended Ultra Fine Particle Emission meeting in Burien, supported by Representative Tina Orwall.
- Assistant Building Inspector Christensen gave an update to Council on the construction of the FAA building in the Business Park.
- Metro Pilot Program.
- Future Marina parking meeting.

### **CONSENT CALENDAR**

- Item 1:           **APPROVAL OF MINUTES**  
Motion is to approve the minutes from the November 10 and December 10, 2016 City Council Executive Sessions, minutes from the October 29, 2016 City Council Retreat and the minutes from the October 27, November 10, November 17, December 1 and December 8, 2016 Regular City Council meetings.
- Item 2:           **SURPLUS PROPERTY**  
Motion is to declare the items on the attached list surplus to the City's needs and direct the staff to dispose of them in the most cost effective way consistent with State law and City policy.
- Item 3:           **ARTS COMMISSION REAPPOINTMENT**  
Motion is to confirm the Mayoral reappointment of Collette Deardorff to a three year term on the City of Des Moines Arts Commission effective January 1, 2017 and expiring on December 31, 2019.

Item 4: DRAFT RESOLUTION NO. 16-199 SOUTH 216<sup>TH</sup> STREET – SEGMENT 3, 11<sup>TH</sup> AVENUE S TO 20<sup>TH</sup> AVENUE S – PROJECT CERTIFICATION OF FULL FUNDING – FOR TIB AWARD

Motion is to adopt Draft Resolution No. 16-199 certifying to the Washington State Transportation Improvement Board (TIB) that full funding is secured for the S 216<sup>th</sup> Street – Segment 3, 11<sup>th</sup> Avenue S to 20<sup>th</sup> Avenue S Project, and further authorize the City Manager to sign the TIB Funding Status Form and the Fuel Tax Grant Agreement with TIB.

Item 5: 2017 VEHICLE AND EQUIPMENT PURCHASE

Motion is to approve and confirm the purchase of vehicles and equipment identified in Attachment 1 for a total amount of \$555,513.19, ratify Administration's purchase of vehicles already ordered, and authorize the City Manager or his designee to sign the remaining purchase orders substantially in the form as attached.

Item 6: DRAFT ORDINANCE 16-201 RELATED TO GAMBLING TAXES

Motion 1 is to suspend Rule 26(a) in order to enact Draft Ordinance No. 16-201 on first reading.

Motion 2 is to enact Draft Ordinance 16-201, extending the date for cardrooms to be eligible for the graduated gambling tax schedule to June 30, 2017, and amending the graduated gambling tax structure applicable to public card rooms.

Item 7: SURPLUS PROPERTY – VEHICLES AND EQUIPMENT

Motion is to adopt Draft Resolution No. 16-206 declaring certain vehicles and equipment identified in Exhibit A to Attachment 1 as surplus and authorize disposal of said surplus vehicles and equipment by auction or trade-in, and to retain certain vehicles and equipment identified in Exhibit B to Attachment 1.

Item 8: APPROVAL OF VOUCHERS

Motion is to approve for payment vouchers and payroll transfers through December 23, 2016, included in the attached list and further described as follows:

Total A/P Checks/Vouchers	#148876-149152	\$1,799,875.96
Electronic Wire Transfers	#798-811	\$1,321,222.35
Payroll Checks	#18876-18879	\$ 5,651.39
Payroll Direct Deposit	#480001-480154	\$ 324,235.81
Payroll Checks	#18880-18890	\$ 7,863.66
Payroll Direct Deposit	#500001-500156	\$ 296,536.70
Total Certified Wire Transfers, Voids, A/P and Payroll Vouchers:		\$3,755,385.87

**Action/Direction**

Motion made by Councilmember Musser to approve the Consent Agenda; seconded by Councilmember Kaplan.

Councilmember Back spoke to Consent Agenda Item #2; asked Harbormaster Dusenbury if the chest freezers could be donated to the Food Bank. Harbormaster Dusenbury mentioned that they smell like herring as they were used as bait freezers at the Marina.

Councilmember Nutting excused his vote from Consent Agenda Item #1 as he was absent at the November 10, 2016 meeting.

Councilmember Kaplan spoke to Consent Agenda Item #6.

The Consent Agenda passed 7-0.

#### **PUBLIC HEARING/CONTINUED PUBLIC HEARING**

Item 1: DRAFT ORDINANCE NO. 16-173; CODE AMENDMENTS SUPPORTING LOW IMPACT DEVELOPMENT

Presentation: Austin Fisher, Project Manager  
Parametrix

Mayor Pina opened the public hearing at 8:16 p.m.

Austin Fisher, Project Manager with Parametrix and Surface Water and Environment Engineering Manager Loren Reinhold gave a power point presentation.

Seeing that no one signed up to speak, Mayor Pina called 3 times if anyone wished to speak; seeing none he asked Council if they had any questions.

Mayor Pina closed the public hearing at 9:11 p.m.

#### **Direction/Action**

**Motion 1** made by Councilmember Kaplan to suspend Rule 26(a) in order to enact Draft Ordinance No. 16-173 on the first reading; seconded by Councilmember Bangs.  
The motion passed 7-0.

**Motion 2** made by Councilmember Kaplan to enact Draft Ordinance No. 16-173 amending portions of DMMC Titles 11, 12, 14, 16, 17 and 18 for implementing Low Impact Development (LID) principles and LID Best Management Practices as required by the Department of Ecology and for the City to be in compliance with its municipal stormwater NPDES permit; seconded by Councilmember Bangs.  
The motion passed 7-0.

Mayor Pina read Draft Ordinance No. 16-173 into the record.

#### **EXECUTIVE SESSION**

At 9:22 p.m. Council went into Executive Session. The purpose of the Executive Session was to discuss the Performance of a Public Employee under RCW 42.30.110(1)(g). In attendance: Mayor Pina; Mayor Pro Tem Pennington; Councilmembers Kaplan, Back, Bangs, Nutting and Musser; City Manager Michael Matthias; Chief Operations Officer Dan Brewer; City Attorney Tim George.

The Executive Session ended at 9:54 p.m. and the regular meeting resumed.

No formal action was taken.

**NEXT MEETING DATE**

January 12, 2017 Regular City Council Meeting

**ADJOURNMENT**

**Motion** made by Mayor Pro Tem Pennington to adjourn; seconded by Councilmember Bangs.  
The motion passed 7-0.

The meeting was adjourned at 9:54 p.m.

Respectfully Submitted,  
Bonnie Wilkins, CMC  
City Clerk

