

## REGULAR MEETING DES MOINES CITY COUNCIL

MINUTES

March 22, 2007

At 7:28 p.m., City Manager Piasecki announced that the Council would remain in Executive Session until 7:40 p.m.

The regular meeting of the Des Moines City Council was called to order at 7:45 p.m. by Mayor Sheckler in the Council Chambers, 21630 11<sup>th</sup> Avenue South, #B.

PLEDGE OF ALLEGIANCE to the Flag was led by Councilmember Sherman.

ROLL CALL - Present: Mayor Bob Sheckler, Mayor Pro Tem Scott Thomasson, Councilmembers Dave Kaplan, Ed Pina, Carmen Scott, Dan Sherman and Susan White. Also in attendance were City Manager Tony Piasecki, Acting City Attorney Richard Brown, Parks and Recreation Director Patrice Thorell, Planning, Building and Public Works Director Grant Fredricks, and Deputy City Clerk Angela Chaufy.

### COMMENTS FROM THE PUBLIC

Alli Larkin, 21937 7<sup>th</sup> Avenue South, #210

Ms. Larkin spoke to Council about water and peace. On behalf of Water District 54 and the beach naturalist program, she thanked Council for their support and expressed pleasure that the community was working together to make the City the best destination it can be. Ms. Larkin said that NOAA was currently accepting comments concerning the effect of sonar on orca whales. She encouraged work on a domestic and international level to bring peace and non-violence to the world.

Mayor Sheckler said that he was trying to schedule Ms. Larkin's previously discussed concerns for the April study session.

### BOARD & COMMITTEE REPORTS AND COUNCILMEMBER COMMENTS

National League of Cities (NLC) Conference and Lobbying Efforts

Councilmember Scott reported that she, Mayor Sheckler and City Manager Piasecki had attended the NLC Conference in Washington, DC. Sessions concerning public safety, crime prevention, emergency preparedness, telecommunications, and community development block grant funding were attended. In addition, they met with Senators Patty Murray and Maria Cantwell and Representative Adam Smith.

Grant Money

Councilmember Kaplan reported that the City of Des Moines had been awarded a \$1,000,000 grant from the State Historical Society and a \$300,000 grant from Community Trade and Economic Development for Des Moines Beach Park renovations.

City Manager Piasecki confirmed that staff would determine whether the \$300,000 grant was carryover or new money.

Salt Water Bridge Funding

Councilmember Kaplan announced that no specific state funding had yet been allocated to the Salt Water Bridge repair project.

#### Suburban Cities Association

Councilmember Pina reported that the Suburban Cities Association had discussed the following topics at their meeting:

- All Councilmembers must take National Incident Management System training or the City will lose its funding.
- Cities have been asked to pass a resolution in support of the EMS levy issue which will be on the November ballot.
- The Association has recommended that the additional public health funds be distributed proportionate to need.
- A committee to review the King County Charter has been appointed by Ron Simms.

Councilmember White confirmed that she would participate in the NIMS training.

Councilmember Pina noted that, due to the decreasing capacity of solid waste disposal facilities, many cities were requiring mandatory recycling. Council could consider a similar program in Des Moines.

#### Hearts and Flowers Fund

Councilmember Pina suggested that Council allocate money from their Hearts and Flowers fund to support the local sophomore's participation in the Junior Statesman Program at Princeton University.

As the Hearts and Flowers Fund was Council's, rather than the public's money, Mayor Sheckler suggested that Councilmember Pina inquire individually of Councilmembers to determine whether there was an interest to do so.

#### Arts Commission

Councilmember White noted that the Commission had conducted their second meeting.

#### Streamline Sales Tax

Councilmember White said that the Streamline Sales Tax bill had been signed earlier in the day.

#### Des Moines Beach Park Renovations

Councilmember White confirmed that the City had received a \$1,000,000 grant for Beach Park renovations from the Heritage Grant Program. On April 12, 2007 at 1:00 p.m., she would attend a meeting with other agencies to resolve the outstanding creek issues. She invited interested Councilmembers to also attend.

#### Main Street Conference

Councilmember White invited participation in the Main Street Conference which would start March 25, 2007.

#### Economic and Finance Committee

Councilmember White said that the committee would soon begin meeting again.

Municipal Facilities Committee

Councilmember Sherman announced that the committee would meet tomorrow to discuss the Marina Master plan.

State Auditor's Office Audit

Councilmember Sherman reported that the City had received no findings in their 2005 Audit. The audit included a review of the City's accountability for public money, their compliance with state law, and their financial statements.

Environment Committee

Mayor Pro Tem Thomasson informed Council that the committee had met earlier in the evening to review the Shoreline Master Plan program and Des Moines Creek Basin improvements.

Spring Egg Hunt

Councilmember White announced that a Spring Egg Hunt would be conducted on April 7<sup>th</sup> at Des Moines Beach Park.

Earth Day

Councilmember White noted that Earth Clean Up Day was scheduled for April 21, 2007.

PRESIDING OFFICER'S REPORT

Community Development Block Grant (CDBG) Program

Mayor Sheckler said that the four presidential candidates had identified the CDBG program as a priority.

Federal Department of Justice Crime Statistics Report

Chief of Police Baker informed council that Des Moines' preliminary crime statistics indicated a 13.6% decrease in Part 1 crime rate. He credited the reduction to Council's and the community's support of crime reducing legislation.

ADMINISTRATION REPORTS

City Attorney

City Attorney Piasecki announced that Pat Bosmans, currently the City Attorney for Sumner, had been selected to serve as Des Moines' City Attorney beginning May 1, 2007.

AGENDA REVISION

Mayor Sheckler announced that New Business Item No. 3 would be the first item of business after the consent calendar.

CONSENT CALENDAR was read by Deputy City Clerk Chaufty.

1. Motion is to approve the regular minutes of February 22 and March 1, 2007.
2. Findings: Vouchers audited and certified by the auditing officer as required by RCW 42.24.080, and those expense reimbursement claims certified as required by RCW 42.24.090, have been recorded on a listing which has been made available to the City Council.  
Motion: As of this date the Des Moines City Council, by unanimous vote, does approve for payment those vouchers and payroll transfers included in the above list and further described as follows:

Claim checks #108223 through #108433 & electronic fund transfers in the total amount of \$684,298.46

Payroll fund transfers in the total amount of \$301,678.29

3. Motion is to authorize staff to dispose of two pieces of Marina surplus property, a large capacity exhaust fan and the touch and go float, in a manner most advantageous to the City.
4. Motion is to approve the use of the Marina for a classic car and boat show on July 14, 2007, providing that the City Manager approves the operations and site plan for the event.
5. ~~Motion is to approve the agreement between the City of Des Moines and the Highline School District for the City to provide a police officer to serve as a school resource officer and for the District to compensate the City for ten months of salary and benefits not to exceed \$86,000 for the ten months the officer will be assigned to the school as described in the Interlocal Agreement and to authorize the City Manager to sign the Agreement substantially in the form as submitted.~~
6. ~~Draft Resolution No. 07-066 - Title: A Resolution of the City Council of the City of Des Moines, Washington, authorizing Interfund loans to the Police Services Restoration Fund from the Revenue Stabilization Fund in the amount not to exceed \$250,000, authorizing the repayment of the Interfund loans by the Police Services Restoration Fund to the Revenue Stabilization Fund, and setting the schedule for repayment and interest calculations on or before December 31, 2007.~~

~~MOTION is to approve Draft Resolution No. 07-066.~~

7. Draft Resolution No. 07-070 [Assigned Res. No. 1034] - Title: A Resolution of the City Council of the City of Des Moines, Washington, adopting the Federal National Incident Management System (NIMS) for the City of Des Moines.

MOTION is to approve Draft Resolution No. 07-070.

Councilmember Sherman removed Item Nos. 5 and 6.

**MOTION** was made by Councilmember Kaplan, seconded by Councilmember Scott, and passed unanimously to approve the consent calendar as amended.

#### REMOVED CONSENT CALENDAR ITEMS

##### Interlocal Agreement between the City of Des Moines and the Highline School District for a School Resource Officer at Mount Rainier High School

Upon questioning from Councilmember Sherman, Commander O'Leary confirmed that \$86,000 was equal to 5/6 of the cost of a police officer to the City.

**MOTION** was made by Councilmember Sherman, seconded by Councilmember Pina and passed unanimously to approve the agreement between the City of Des Moines and the Highline School District for the City to provide a police officer to serve as a school resource officer and for the District to compensate the city for ten months of salary and benefits not to exceed \$86,000 for the ten months the officer will be assigned to the school as described in the interlocal agreement and to authorize the City Manager to sign the agreement substantially in the form as submitted.

##### Draft Resolution No. 07-066 [Assigned Res. No. 1035] Interfund Loans from the Revenue Stabilization Fund to the Police Services Restoration Fund

Upon questioning from Councilmember Sherman, Finance Director Henderson informed Council that there was approximately \$750,000 in the Revenue Stabilization Fund.

**MOTION** was made by Councilmember Sherman, seconded by Councilmember White and passed unanimously to adopt Draft Resolution No. 07-066 approving interfund loans in an amount not to exceed \$250,000 from the Revenue Stabilization Fund to the Police Services Restoration Fund at an interest rate of 5.2% on all outstanding interfund loan proceeds with repayments to occur prior to December 31, 2007.

Mayor Pro Tem Thomasson recommended that the words “depending upon cash availability” be deleted from the last Whereas in the draft resolution as cash availability was subject to Council control.

City Manager Piasecki explained that, as the City was not hiring police as quickly as they hoped, there should be money left over to cover the first quarter of 2008.

Councilmember Sherman and Councilmember White **accepted** Mayor Pro Tem Thomasson’s recommendation concerning the Whereas language **as a friendly amendment**.

**VOTE ON MOTION:** Motion passed unanimously.

## NEW BUSINESS

### Des Moines Arts Commission Program Proposal and Budget Request

Parks and Recreation Director Thorell introduced the subject and Arts Commission Chairman Clark Snure. On behalf of the Commission, Ms. Thorell asked Council to increase its appropriation in the budget to \$19,000 as the Commission had secured an additional \$9,000 in grant funding.

Mr. Snure informed Council that the Commission was working to develop a long range arts program.

Parks and Recreation Director Thorell confirmed that a 1% allocation for the arts program had been part of the Resolution which established the Arts Commission. She also confirmed that the commission served as a recommending board to Council.

**MOTION** was made by Councilmember Sherman, seconded by Mayor Sheckler, and passed unanimously to approve the 2007 Des Moines Arts Commission program expenditures and revenues as proposed and to direct staff to include the appropriations in the next available budget amendment coming before Council.

At 8:47 p.m., Mayor Sheckler declared a ten-minute break.

### Pacific Ridge Vision & Zoning Code

Planning, Building and Public Works Director Fredricks introduced the subject. The discussion would allow Council an opportunity to discuss the Pacific Ridge vision and City code with members of the development community. He introduced the following speakers:

Morgan Llewellyn, Llewellyn Real Estate  
Bruce Lorig, Lorig Associates  
Kim Nakimora, Rushforth Taylor Construction  
Orit Sarfaty, Metrovation

Dan Rosenfeld, Urban Partners

Mr. Llewellyn presented the following comments to Council:

- Des Moines is not perceived as developer-friendly.
- Des Moines needs a “walk-around” feature.
- The marina is prime for development and can be used to establish that “walk-around” feature.
- Council should drive staff to create a friendly climate for developers.
- The Zoning Code should be written so that a teenager could understand it.
- Staff should have the authority to try to make a project work when it does not exactly match the Code.
- The fire inspection’s requirement to have all materials in place prior to approval is bad for development.
- Developers consider the timeline required for a project to pay off.

Mr. Lorig told Council the following:

- Developers consider parking first in order to determine what type of project should be built.
- City regulations discourage development as structured parking costs in the area are too high.
- A 50 foot rather than 35 foot height restriction should be in place as the 35 foot height restriction is too restrictive.
- Tax dollars should be used to fund marina improvements.
- Light rail is an economic development tool.
- Light rail should be placed on Pacific Highway South rather than 1-5 in order to get people to the area.
- The Zoning Code should be simplified and should include flexibility that allows staff to use their judgment.

Mr. Nakimora agreed with Mr. Lorig’s comments. He said that the vision for Pacific Ridge did not match reality and the marketplace. Mr. Nakimora said that concessions, such as a City funded parking garage, were needed in order to encourage development. He agreed that Pacific Highway South should be the corridor for light rail.

Ms. Sarfaty encouraged Council to consider the social aspect of development as well as its economic purpose. She said that retail should bring people in to an area and create community. The Pacific Ridge area does not encourage social meetings. Ms. Sarfaty recommended that Council conduct a community inventory process and for non-profit partnerships to bring people to the area. She said that the view provided by the Pacific Ridge area should be viewed as an asset.

Mr. Rosenfeld encouraged Council to consider topography and the history of the area. From a land use perspective, he identified the following four separate civic areas in Des Moines:

- Des Moines Marina
- Marine View Drive

- City Service Area (City Hall, Police Station, Field House, and Library)
- Pacific Highway South

Mr. Rosenfeld recommended that Council try to obtain light rail in the area. It would be best to place it near the heart of the City as it would create pedestrian and density opportunities. Light rail placement on the freeway would not generate traffic through or usage of the City. Mr. Rosenfeld said that if light rail use was to be encourage, it should be accessible to all modes of transportation.

If there would not be any light rail stops in the City, Mayor Pro Tem Thomasson thought it best to put the tracks on I-5 rather than Pacific Highway South. He provided a background of the Pacific Ridge's vision development.

Mr. Rosenfeld encouraged the City to capitalize on its natural assets and views. He recommended the following:

- Allow four to five stories on Marine View Drive to increase retail opportunities.
- Encourage tall buildings on 30<sup>th</sup> Avenue South.
- Allow Pacific Highway South to not be a street like Marine View Drive.
- Eliminate height and parking requirements.
- Develop more east-west connecting streets
- Keep the social heart of the City on Marine View Drive.
- Assist with land consolidation.

Mr. Lorig said that there was currently no reason to develop the area between Pacific Highway South and I-5 as there was no community there. He said that light rail should be a community development tool rather than a long trip tool.

Mr. Rosenfeld agreed that developers were reluctant to spend their money on Pacific Highway South but felt that they would be willing to develop the downtown area.

Mr. Llewellyn encouraged Council to make tough decisions that may be unpopular but would provide an opportunity to create something that would draw people to the area. He said that the City's Zoning Code does not work for the Pacific Ridge area.

Councilmember Kaplan posed the following questions:

- What is the highest and best use of the area fifty years from now?
- Would the City's investment in Pacific Ridge encourage development to occur in that area?
- What is the catalyst to obtain the goal?

Planning, Building, and Public Works Director Fredricks said that a Zoning Code that allowed a more affordable project would encourage development.

Councilmember Scott asked what incentives could be used to encourage new desirable uses in the area and what could the City do in the short-term to encourage development.

Mr. Nakimora recommended that the City reduce the cost of development by allowing five story wood frame projects. He said that the land value needs to increase in order to drive development. Mr. Nakimora said that the market should drive a mix of rental and owned units.

Jena Kline from Urban Partners recommended that the City take advantage of its current auto-oriented business center on Pacific Highway South now. She said that the Pacific Ridge area was not community friendly as it had no east-west connections and the area could not be walked. Ms. Kline encouraged Council to concentrate on Marine View Drive for now and install street lights, sidewalks, and east-west connections in the Pacific Ridge area.

Mr. Rosenfeld reiterated the importance of obtaining a light rail stop in Des Moines.

Willie Jones informed Council that he was working on a project in the area for Matt Chan.

Mr. Nakimora said that the Pacific Ridge area needed an anchor and that development would require a partnership with the City. He encouraged Council to simplify the Zoning Code and allow the market to drive development.

Councilmember White commented that leadership from Council would be required to change the City's reputation.

Mr. Lorig identified access, roads, and small parcel land acquisitions as problems in the Pacific Ridge area. He encouraged Council to take advantage of opportunities (Marine View Drive and Marina) rather than solve problems (Pacific Ridge).

Update on Shoreline Master Program

**MOTION** was made by Mayor Pro Tem Thomasson, seconded by Councilmember Sherman, and passed unanimously to continue discussion of the item at the April 26, 2007 Council meeting.

NEXT MEETING DATE - Study Session April 5, 2007

ADJOURNMENT

At 10:27 p.m., **motion** was made by Councilmember Sherman, seconded by Mayor Pro Tem Thomasson, and passed unanimously to adjourn the meeting.

Respectfully submitted,

Angela M. Chaufy  
Deputy City Clerk

**ACTION ITEMS FROM 3/22/07 COUNCIL MEETING** – None.