

AMENDED MINUTES

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

May 9, 2019 – 7:00 p.m.

CALL TO ORDER

Mayor Pina called the meeting to order at 7:01 p.m.

PLEDGE OF ALLEGIANCE

The flag salute was led by Councilmember Back.

ROLL CALL

Council present: Mayor Matt Pina; Deputy Mayor Vic Pennington; Councilmembers Traci Buxton, Luisa Bangs, Robert Back, Jeremy Nutting and Matt Mahoney.

Staff present: City Manager Michael Matthias; Chief Operations Officer Dan Brewer; Chief Strategic Officer Susan Cezar; City Attorney Tim George; Assistant City Attorney Matt Hutchins; Harbormaster Scott Wilkins; Finance Director Beth Anne Wroe; Human Resource Director Adrienne Johnson-Newton; Police Chief Ken Thomas; Commander Doug Jenkins; Commander Mike Graddon; Master Sergeant Patti Richards; Master Police Officer Shawn O’Flaherty; Legislative Advocate Anthony Hemstad; City Clerk/Communications Director Bonnie Wilkins; and Deputy City Clerk Taria Keane.

EXECUTIVE SESSION

At 7:03 p.m. Council went into Executive Session. The purpose of the Executive Session was to discuss Potential Litigation under RCW 42.30.110(1)(i). Those in attendance: Mayor Pina; Deputy Mayor Pennington; Councilmembers Buxton, Bangs, Back, Nutting, and Mahoney; City Manager Matthias; Chief Operations Officer Brewer; Chief Strategic Officer Cezar; City Attorney George; Assistant City Attorney Hutchins; and City Clerk/Communications Director Bonnie Wilkins.

The Executive Session was expected to last 15 minutes.

The Executive Session lasted 15 minutes and concluded at 7:18 p.m.

No formal action was taken.

CORRESPONDENCE

- There were no correspondences.

ADMINISTRATION REPORT

- Chief Thomas along with Commander Graddon awarded Master Sergeant Richards and Master Police Officer O’Flaherty both with Life Saving Awards.

COMMENTS FROM THE PUBLIC

- JC Harris, Des Moines, Port Grant

BOARD AND COMMITTEE REPORTS/COUNCILMEMBER COMMENTS

Councilmember Back

- Transportation Committee Meeting
- Highline School District Board Meeting
- Police Department Community Meeting
- Fallen Officer DeRosier Funeral
- A League of Quiet Skies Voters – A Town Hall
- Safety in the Place of Worship

Councilmember Bangs

- Police Department Advisory Board
- Highline School District Board Meeting
- Police Foundation sponsored R.A.D Training (Rape, Aggression, and Defense)
- Police Department Lobby Hours
- Parking lot at Police Department is now a Safe Exchange Spot

Councilmember Nutting

- R.A.D Training
- Des Moines Farmers Market
- Olympic Interim Site Ribbon Cutting

Councilmember Buxton

- Women's Personal Safety Class
- Des Moines Farmers Market
- Soundside Alliance Meeting
- Growth Management Policy Board
- Public Issues Committee Meeting
- Environment Committee Meeting
- Senior Service Advisory Committee Meeting
- Commented on Consent Calendar Item 4, Item 5, Item 7, and Item 8

Deputy Mayor Vic Pennington

- Highline School District Board Meeting
- Police Department Community Meeting
- A League of Quiet Skies Voters – A Town Hall
- Des Moines Parkrun
- Public Safety/Emergency Management Committee Meeting

Councilmember Mahoney

- Art and Wine Walk
- Dedication of the Marinascope
- Opening Day of Boating Session
- Waterland Parade
- Transportation Committee Meeting
- Redondo Reef Meeting
- Commented on Consent Calendar Item 5, and Item 9

PRESIDING OFFICER'S REPORT

- Des Moines Yacht Club Commodore Mike McGahan informed Council about their upcoming Summer Events
- A League of Quiet Skies Voters – A Town Hall
- Forterra Breakfast
- Marina Tenants Association Meeting
- Commented on Consent Calendar Item 4, Item 5, Item 6, and Item 7
- Lodging Tax Advisory Committee Meeting
- Acknowledged City Clerk/Communications Director Bonnie Wilkins Birthday

ADMINISTRATION REPORT

- Legislative Advocate Anthony Hemstad gave council a legislative update PowerPoint presentation

CONSENT CALENDAR

- Item 1: APPROVAL OF VOUCHERS
Motion is to approve for payment vouchers and payroll transfers through May 9, 2019 included in the attached list and further described as follows:
- | | |
|---|----------------|
| Total A/P Checks/Vouchers #157233-157514 | \$1,138,840.50 |
| Total Void checks from Previous Check Runs | \$(11,554.99) |
| Electronic Wire Transfers # 1211-1213 | \$ 55,914.51 |
| Electronic Wire Transfers # 1216-1234 | \$ 799,941.92 |
| Payroll Checks # 19154-19159 | \$ 6,662.06 |
| Payroll Direct Deposit #160001-160164 | \$ 373,630.00 |
| Payroll Checks # 19160-19176 | \$ 12,805.17 |
| Payroll Direct Deposit #180001-180173 | \$ 353,743.01 |
| Total Checks and Wires for A/P and Payroll: | \$2,349,690.12 |
- Item 2: APPROVAL OF MINUTES
Motion is to approve the April 4 and April 17, 2019 City Council Study Session Minutes, and the April 11, 2019 City Council Regular Meeting Minutes.
- Item 3: APPOINTMENT OF CLAIMS FOR DAMAGES ACCEPTANCE AGENTS
Motion is to adopt Draft Resolution No. 19-050 updating the Acceptance Agents for Claims for Damages filed against the City pursuant to chapter 4.96 RCW and superseding Resolution No. 1382.
- Item 4: 2019 DES MOINES FARMERS MARKET AGREEMENT
Motion is to approve the Agreement with the Des Moines Farmers Market for the 2019 Des Moines Waterfront Farmers Market to be held at the Des Moines Marina on Saturdays from June through September, and Wednesday evenings from July 10 – August 21, and to authorize the City Manager to execute the Agreement substantially in the form as attached.
- Item 5: LEASE WITH FLUID MOTION, LLC (DBA RANGER TUGS) FOR THE USE OF DOCK SPACE IN THE GUEST MOORAGE AREA OF THE MARINA
Motion is that the Council ratify and confirm the lease agreement between the City and Fluid Motion, LLC for the use of 250 feet of the North Float in the Guest Moorage area for the rate of \$2,180.00 dollars per month plus leasehold tax and authorize the City Manager to sign the agreement substantially in the form as attached.

- Item 6: SOUTH SOUND BOATING SEASON OPENING DAY PROCLAMATION
Motion is to approve the proclamation recognizing the official opening of the South Sound Boating season on May 11, 2019.
- Item 7: PROPERTY ACQUISITION: 402 S. 222ND ST.
Motion 1 is to approve the second amendment to the Memorandum of Understanding between the City and Forterra, and the first amendment to the Lease Agreement, and authorize the City Manager to sign the amendments substantially in the form as attached.
- Motion 2 is to approve the Purchase and Sales Agreement for the purchase of the property at 402 S. 222nd St. in Des Moines, for the purchase price of \$1,190,000.00, and authorize the City Manager to sign the Agreement substantially in the form as attached.
- Item 8: 2019 4CULTURE ARTS SUSTAINED SUPPORT GRANT ACCEPTANCE
Motion is to accept the grant from 4Culture for 2019 Arts Sustained Support in the amount of \$7,500 for the City of Des Moines Arts Commission programs, and authorize the City Manager to sign the grant documents substantially in the form as attached.
- Item 9: GRANT ACCEPTANCE AND ECONOMIC DEVELOPMENT PARTNERSHIP AGREEMENT WITH PORT OF SEATTLE
Motion is to accept the Phase 3 grant funding from the Port of Seattle in the amount of \$31,140 and authorize the City Manager to sign the Economic Development Partnership Agreement substantially in the form as attached.

Direction/Motion

Motion made by Councilmember Mahoney to approve the consent calendar; seconded by Councilmember Buxton.
Motion passed 7-0.

Mayor Pina read the South Sound Boating Season Opening Day Proclamation summary into the record.

PUBLIC HEARING

- Item 1: PUBLIC HEARING TO CONSIDER DRAFT ORDINANCE NO. 19-048
RELATING TO ZONING, AMENDING THE USE TABLE IN DMMC 18.52.010B,
ADDING AND REVISING DEFINITIONS IN DMMC 18.01.050
Staff Presentation: Chief Strategic Officer Susan Cezar

Mayor Pina Opened the Public Hearing at 8:35 p.m.

Chief Strategic Officer Cezar gave a PowerPoint Presentation to Council.

Mayor Pina called for those that wished to speak:

Bill Linscott, Des Moines, ~~Opponent~~ Proponent of the Draft Ordinance
Sandra Mock, Des Moines, ~~Opponent~~ Proponent of the Draft Ordinance
Michelle Fawcett, Des Moines, ~~Opponent~~ Proponent of the Draft Ordinance

Mayor Pina asked 3 times if anyone else wished to speak.

Seeing none, Mayor Pina asked Council if they had any questions.

Direction/Action

Motion made by Councilmember Bangs to pass consideration of Draft Ordinance No. 19-048 to a second reading on June 27, 2019, or as soon thereafter as the matter may be heard; seconded by Councilmember Back.
Motion passed 7-0

NEW BUSINESS

Item 1:

PROPERTY ACQUISITION: 22106 28TH AVE S
Staff Presentation: Chief Strategic Officer Susan Cezar

Chief Strategic Officer Cezar gave a PowerPoint Presentation to Council.

Direction/Action

Motion made by Councilmember Nutting to ratify and approve the executed agreements for the purchase of the property at 22106 28th Ave S in Des Moines, for the purchase price of \$65,000.00 plus closing costs, and direct Administration to bring forward a budget amendment reflecting the cost for the purchase; seconded by Deputy Mayor Pennington.
Motion passed 7-0

EXECUTIVE SESSION

At 9:06 p.m. Council went into Executive Session. The purpose of the Executive Session was to discuss Labor Negotiations under RCW 42.30.140(4)(A) and Potential Litigation under RCW 42.30.110(1)(i). Those in attendance: Mayor Pina; Deputy Mayor Pennington; Councilmembers Buxton, Bangs, Back, Nutting, and Mahoney; City Manager Matthias; City Attorney George; Finance Director Wroe; Human Resource Director Johnson-Newton; Police Chief Thomas; and City Clerk/Communications Director Wilkins.

The Executive Session was expected to last 30 minutes.

The Executive Session lasted 30 minutes and concluded at 9:16 p.m.

No formal action was taken.

NEXT MEETING DATE:

May 23, 2019 City Council Regular Meeting.

ADJOURNMENT

Direction/Action

Motion made by Councilmember Nutting to adjourn; seconded by Deputy Mayor Pennington.

The motion passed 7-0.

The meeting adjourned at 9:18 p.m.

Respectfully Submitted,
Taria Keane
Deputy City Clerk