



City of Des Moines

ADMINISTRATION
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FRIDAY COUNCIL RECAP

March 5, 2021

The following items were approved and/or discussed at last night's meeting.

ADMINISTRATION REPORT

ITEM 1: COMMITTEE MEETING TECHNOLOGY

The question was raised at a previous Council meeting about making committee meetings available to the public through audio/visual technology. Staff has been doing research with what the process is in other Cities as a baseline. Some Cities do not have committee meetings while others do, and do not record their Committee meetings. Staff want to ensure that best practices we can followed and to make sure we have appropriate technology that can be utilized for committee meetings. Staff will come back to Council when there is more information to provide.

ITEM 2: DRUG POSSESSION RECENT SUPREME COURT RULING

Police Chief Ken Thomas updated Council on a recent ruling by the Washington State Supreme Court; State v Blake. The Supreme Court ruled that the statute for possession of a controlled substance, as it was written, was unconstitutional, or it failed because it left out "knowing" of possession of a controlled substance. What this means is as of March 4, 2021, Police Officers can no longer arrest, investigate or engage in law enforcement activity for any possession of narcotics. This goes backwards and if anyone is currently in jail for possession of a controlled substance only, or has had any criminal action taken based upon that statute, that is no longer valid and will be cleared up. Moving forward, what staff have been told is that there is already a bi-partisan bill that has been introduced into the Legislature to fix the statute by adding the word "knowing" to the statute. It is extremely likely that this will be corrected in this legislative session. It is important to note that for at least the past two years our Prosecutor's Office has not filed or prosecuted cases for possession of a controlled substance. Because of that, this particular issue does not impact the Police Department as much, but what happens is that a significant amount of property crime is tied directly to people with drug problems and narcotic issues. We have a serious need for additional funding for mental health treatment and addiction issues. Our Police Department continue to do their best to work their hardest to keep our community safe and to keep your property from being damaged or stolen.

ITEM 3: StART UPDATE

City Manager Michael Matthias and Peter Philips recently attended the most recent StART meeting. The Port has changed the way that they facilitate their meetings, which was one of the critical components for the City to return to StART. The City will be signing onto a letter with other sister Cities, and the Port to the FAA, who has recently done some neighborhood surveys among 8 different airports in the United States, including Boeing Field. One of the crucial components of the letter is a review of the Metrix used to measure noise.

ITEM 4: FINANCE PRELIMINARY 2020 CLOSE

Finance Director Beth Anne Wroe gave a presentation to Council on the year end finance health of 2020.

ITEM 5: RECOLOGY DES MOINES 2020 ANNUAL REPORT

Quinn Apuzzo, Government & Community Relations Manager and Erin Gagnon, Government Affairs & Community Relations Manager gave a 2020 year-end review presentation to Council.

The following items were approved by Council 7-0

CONSENT CALENDAR

ITEM 1: APPROVAL OF VOUCHERS

Total A/P Checks/Vouchers	#162087-162141	\$ 335,737.72
Electronic Wire Transfers	# 1606-1624	\$ 906,607.69
Payroll Direct Deposit	# 70001-70141	\$ 372,771.00
Total Checks and Wires for A/P and Payroll:		\$1,615,116.41

ITEM 2: DAY TO REMEMBER MASTER POLICE OFFICER STEVEN J. UNDERWOOD PROCLAMATION

On the morning of March 7, 2001 Des Moines Master Police Officer, Steven J. Underwood stopped to question four juvenile suspects on Pacific Highway S. at 0130 in the morning. Master Police Officer Underwood recognized one person as wanted for an outstanding felony warrant and upon initial contact, a senseless and unwarranted attack occurred on Master Police Officer Underwood. This resulted in him being struck by gunfire, causing his tragic death.

Master Patrol Officer Underwood was taken instantly from his family and the community. He was a dedicated public servant, devoted son, loving husband and father.

The City of Des Moines now remembers the loss of Master Police Officer Steven J. Underwood, after 20 years, you are not forgotten.

ITEM 3: INTERLOCAL AGREEMENT WITH KING HOUSING AND HOMELESSNESS PARTNERS (SKHHP) FOR THE PURPOSE OF POOLING RCW 82.14.540 SALES TAX RECEIPTS

In 2019, the Cities of Auburn, Burien, Covington, Des Moines, Federal Way, Kent, Normandy Park, Renton, Tukwila, and King County entered into an Interlocal Agreement creating South King Housing and Homelessness Partners (“SKHHP”). The goal of this partnership is to ensure the availability of housing that meets the needs of all income levels in South King County. This also includes providing a sound base of housing policies and programs in South King County to complement the efforts of existing public and private organizations to address housing needs.

All Parties to the Agreement have a responsibility for local and regional planning for the provision of housing affordable to residents that work and/or live in South King County. Through the ILA, the Parties agreed to act cooperatively to formulate affordable housing policies that address housing stability and to foster efforts to preserve and provide affordable housing by combining public funding with private-sector resources.

The initial ILA serves as a framework for all participating municipalities within the broader SKHHP jurisdictions. The SKHHP Executive Board has a number of powers and duties including to (1) develop and approve an annual budget and annual work plan for SKHHP; (2) adopt procedures for the administration of SKHHP (and for the conduct of meetings); (3) and to make recommendations to the Parties concerning planning, policy, programs and the funding of affordable housing projects. Ultimate decision making remains with the elected officials of the Parties to the ILA, as the annual budget and work plans are subject to approval by each Party’s legislative authority.

On November 22, 2019, the SKHHP Executive Board took unanimous action to adopt SKHHP Resolution 2019-06 urging each of the nine member jurisdictions to pool 100 percent of the tax receipts collected under the provisions of RCW 82.14.540 which expressly anticipates pooling of these receipts.

The purpose of this Agreement is to allow each of the Parties to pool its tax receipts received under RCW 82.14.540 for use by SKHHP in funding affordable and supportive housing projects and/or programs as permissible under RCW 82.14.540. Pooling tax receipts received in this way will allow the use of the funds to leverage other funds and will make a more meaningful and significant impact on affordable housing. This multiplier effect is central to SKHHP’s goal to maximize the impact of the tax funds authorized by RCW 82.14.540.

Ultimate control of whether these tax monies contributed by the City of Des Moines will be spent for any particular purpose under this agreement will remain with the City Council. Before any Party's pooled funds can be awarded or distributed for funding of a project or program by SKHHP under the Agreement, the legislative body of such Party must authorize the application of a specified amount of its 82.14.540 tax receipts.

City staff continue to participate in SKHHP board meetings and staff planning meetings, and discussions continue between the nine South King County cities that comprise SKHHP.

The City has received the proceeds of the sales and use tax equaling 0.0073% (seventy-three ten-thousands of one percent) of taxable retail sales in the City for the year ending July 28, 2020, per SHB 1406. This amount totaled \$30,000.00 (thirty thousand dollars). These funds are deducted from the State's portion of the sales and use tax, and are not taken out of the City portion of sales and use tax and do not impose an additional tax. There was and will be no increase in taxes paid locally, as the revenue is offset by a reduction in the state's portion and does not impact consumers.

ITEM 4: LEASE WITH SATORI SOLUTIONS, LLC, DBA CAREFREE BOAT CLUB OF SEATTLE

Carefree Boat Club is a nationwide network of boat clubs with both nationwide and worldwide reach. The Seattle based club was established in 2016 with 10 boats and two locations in Washington State. Carefree has since expanded to six locations and over 30 vessels, moored in Marinas located at Lake Union, Shilshole Bay, Bellevue, Kirkland, Bellingham, and Lake Chelan.

Members of the Carefree Boat Club of Seattle pay a yearly membership fee for the privilege of reserving any of the boats in the club's fleet. Club staff meets members at the dock at the beginning and the end of each reservation to ensure that the boat is clean, fueled, and appropriately equipped; to assist with loading and unloading; and to ensure that the member will have a safe trip. Club members have access to free training from licensed instructors as well as reservations from other Carefree Boat Clubs.

Carefree Boat Club wishes to expand their club to include the Des Moines Marina to provide greater access to their members to Puget Sound boating. This location will be the prime access point for members to boating in South Puget Sound.

Carefree Boat Club offers a great new alternative to boat ownership. With membership into their club, one doesn't need to worry about maintenance, trailering, moorage, usage fees, insurance, or cleaning. Their fleet is comprised of newer Ranger Boats, Pontoon boats and others, all kept in pristine condition. Included within membership is, unlimited complimentary training and valet docking service. Membership also includes use of all vessels in their fleet throughout all their various locations.

This lease also provides the opportunity for Club members, whether members of the local club or members of an out-of-state or international club, to experience what the Des Moines Marina and the marina district have to offer, and to return in the future. It will also offer the opportunity for local residents who would enjoy this model of boat sharing a convenient location to start and end their trips, if they choose. Club members who graduate to boat ownership are also potential Marina tenants.

The Marina receives numerous inquiries about boat rentals, suggesting that the demand for boat sharing opportunities is real in Des Moines. The Marina's proximity to the Airport makes this a very attractive opportunity for the fly in customers.

The monthly rent of \$1,122.90 plus Lease-hold tax is the combined total of 3-28ft slips within a commercial lease agreement. The size of slip that will be leased under this lease are rarely, if ever, filled to capacity. This lease provides stable occupancy and income that the Marina would likely not realize otherwise and is not displacing other tenants.

ITEM 5: LEASE WITH MIKE RICE, DBA PUGET SOUND SAILING INSTITUTE LLC

Puget Sound Sailing Institute have been tenants of the Marina since 2017. Michael Rice started Puget Sound Sailing in 1985 and has been awarded ASA Instructor of the Year a record breaking 9 times. Puget Sound Sailing Institute is an ASA accredited sailing school, offering classes from basic Sailing all the way up to Offshore Passage-making. Puget Sound Sailing Institute also offers a Sailing Club, so students can continue their enjoyment of sailing.

The current lease with Puget Sound Sailing Institute has expired, and they wish to renew the agreement with new locations for their vessels within the Marina. They have always been in good standing as lessees.

This lease agreement would continue a successful relationship with a good and valuable tenant of the Marina. In addition to providing direct revenue to the Marina through fees due under this agreement, the tenant's business also draws individuals who have a love of maritime activities on Puget Sound to the Marina and the marina district who may not have had other reason to experience Des Moines. Graduates of PSSI who own or purchase boats in the future are potential tenants or customers of the Marina.

Monthly rent of \$513.89 plus leasehold tax, is the combination of two slips within a commercial lease agreement.

Next City Council Meeting: March 18, 2021