

**AMENDED
AGENDA**

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

September 22, 2016 – 7:00 p.m.

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

CORRESPONDENCE

COMMENTS FROM THE PUBLIC

BOARD AND COMMITTEE REPORTS/COUNCILMEMBER COMMENTS

PRESIDING OFFICER'S REPORT

ADMINISTRATION REPORT

Page 1 Item 1: MONTHLY FINANCIAL REPORT-HARD COPY TO COUNCIL

Item 2: UPDATE ON AFFORDABLE HOUSING

Item 3: LAKEHAVEN UTILITY DISTRICT

Item 4: FLIGHT CORRIDOR SAFETY PROGRAM UPDATE

Item 5: PUBLIC RECORDS UPDATE

CONSENT AGENDA

Page 15 Item 1: APPROVAL OF MINUTES

Motion is to approve the minutes from the August 13, 2016 City Council Budget Retreat.

Page 17 Item 2: APPROVAL OF VOUCHERS

Motion is to approve for payment vouchers and payroll transfers through September 14, 2016 included in the attached list and further described as follows:

Total A/P Checks/Vouchers	#147958-148112	\$ 681,164.16
Electronic Wire Transfers	#759-763	\$ 170,431.96
Payroll Checks	#18844-18847	\$ 4,122.05
Payroll Direct Deposit	#350001-350171	\$ 347,752.25
Total Certified Wire Transfers, Voids, A/P and Payroll Vouchers:		\$1,203,470.42

Page 19 Item 3: **HIGHLINE PLACE RIGHT-OF-WAY DEDICATION**
Motion is to accept the deed of land dedication from Highline Place which is along the north side of South 236th Lane, between the Highline College and Pacific Highway South, and further authorize the City Manager to sign the deed, substantially in the form as submitted.

OLD BUSINESS

Page 31 Item 1: **POKEMON GO STATUS RECONSIDERATION**
Staff Presentation: Harbormaster Joe Dusenbury

EXECUTIVE SESSION

Discussion of qualified applicants per RCW 42.30.110(1)(g) and labor negotiations under RCW 42.30.140(4)(a), 30 minutes

NEXT MEETING DATE

October 13, 2016 City Council Regular Meeting

ADJOURNMENT

A G E N D A I T E M

BUSINESS OF THE CITY COUNCIL City of Des Moines, WA

SUBJECT: Monthly Financial Report

FOR AGENDA OF: September 22, 2016

ATTACHMENTS:

1. City Council Monthly Financial Report

DEPT. OF ORIGIN: Finance

DATE SUBMITTED: September 15, 2016

CLEARANCES:

- ☐ Legal N/A
- ☒ Finance 
- ☐ Marina N/A
- ☐ Economic Development N/A
- ☐ Parks, Recreation & Senior Services N/A
- ☐ Planning, Building & Public Works N/A
- ☐ Police N/A
- ☐ Courts N/A

APPROVED BY CITY MANAGER
FOR SUBMITTAL 

Purpose and Recommendation

The purpose of this agenda item is to provide an update on the city wide financial condition year to date through August 31, 2016.

Background

City Council has asked the Finance Department to provide a monthly update on the financial condition of the city. Attachment 1 provides the requested information. Please note the general fund revenues have been updated to EXCLUDE the One-Time Revenues and is consistent across all General Fund Revenue reporting.

Financial Impact

None.

Recommendation or Conclusion

None.

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CITY COUNCIL MONTHLY FINANCIAL REPORT

AUGUST 2016

GENERAL FUND MONTHLY REPORT

REVENUES & EXPENDITURES

AUGUST

		2016 Budget Annual	2016 Actual Year to Date	%	2015 Actual Annual	2015 Actual Year to Date	%
REVENUES							
310	Taxes	12,024,912	7,526,782	63%	11,732,376	6,977,221	59%
320	Licenses & Permits	1,962,670	1,508,338	77%	2,048,118	1,149,694	56%
330	Intergovernmental	642,875	432,830	67%	680,664	358,052	53%
340	Charges Goods/Services	3,257,976	2,441,979	75%	2,938,642	2,065,387	70%
350	Fines & Forefeitures	221,350	123,550	56%	237,702	166,668	70%
360	Misc Revenues	476,800	481,472	101%	369,181	291,100	79%
380	Other Financing Sources	-	7,105		24,570	1,953	8%
	TOTAL	18,586,583	12,522,056	67%	18,031,253	11,010,075	61%
EXPENDITURES							
021	City Council	80,227	60,040	75%	65,728	45,433	69%
022	Muni Court	868,613	624,450	72%	954,950	609,091	64%
023	City Manager	1,538,326	1,021,167	66%	1,490,849	984,774	66%
024	Financial & Tech Services	1,488,488	1,026,363	69%	1,397,379	884,368	63%
026	Legal	574,861	400,780	70%	578,925	385,983	67%
030	Police	8,344,511	5,288,764	63%	7,578,932	4,974,900	66%
040	Plan, Bldg & PW Admin	3,547,616	2,291,774	65%	3,350,194	2,182,734	65%
045	Recr, Sr. Serv & Rentals	1,878,151	1,314,596	70%	1,903,281	1,323,378	70%
050	NonDepartmental	133,872	125,441	94%	121,877	113,811	93%
597	Transfers Out	286,440	-	0%	-	-	
	TOTAL	18,741,105	12,153,375	65%	17,442,115	11,504,472	66%
REVENUES MORE THAN OR (LESS THAN) EXPENDITURES							
		(154,522)	368,681		589,138	(494,397)	

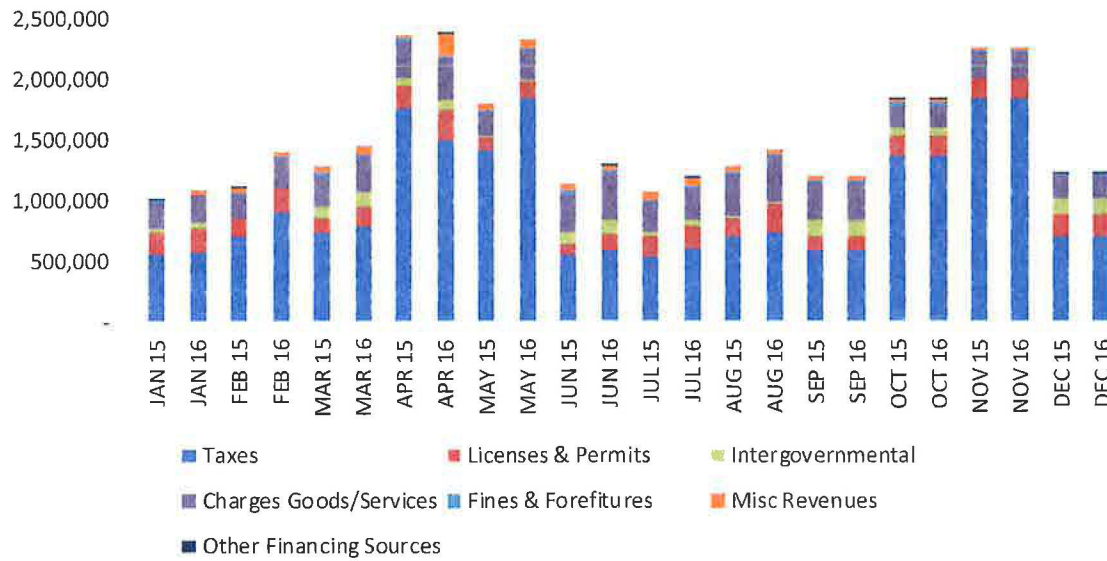
August is 8 months of 12 66.7%

<i>Actual One-time Revenues Year to Date (in Addition to the Above Revenues)</i>		
Property Tax	151,515	-
Sales Tax and B & O Tax	223,622	194,194
Permits and Plan Review	1,524,589	299,844
	<u>1,899,726</u>	<u>494,038</u>

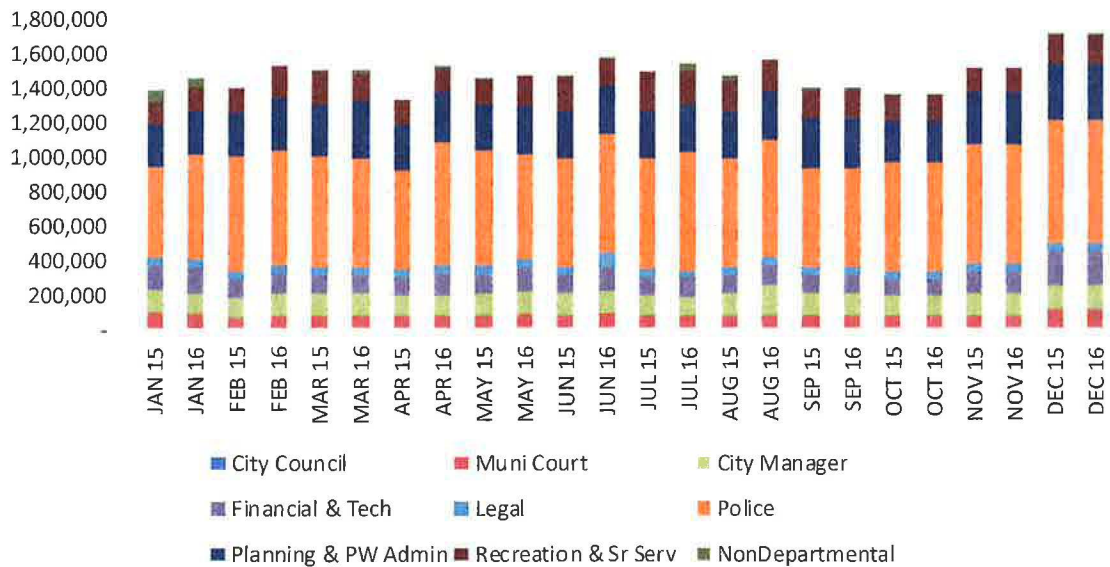
Looking at 2015 % to date provides an indication of "normal" seasonality of revenues and expenditures. Information can be skewed by One-Time Revenues for either year. Looking at 8 months of 12 (66.7%) gives a bench mark if activity occurred evenly throughout the year.

- The above revenues include only ON-GOING revenues and now EXCLUDE ONE-TIME revenues. See graphs below for monthly tax revenue information.
- Municipal Court expenses are running high due to the settlement of the court clerk union contract, extra wages paid to finalizing scanning of court records and settlement of credit card fees.
- Intergovernmental revenues generally come from the state quarterly (but not all in the same months). E.g. liquor tax sharing, city assistance, marijuana tax sharing, etc.
- Misc. Revenues includes facility rentals, interest, etc.
- NonDepartmental includes annual pay-outs for organizations (AWC, Pollution Control, etc.)
- Police may need a supplemental budget as the Original Budget assumed Police gave up their Holiday Pay as part of furlough. This didn't happen so \$80K budget adjustment is likely.

General Fund Revenues by Month

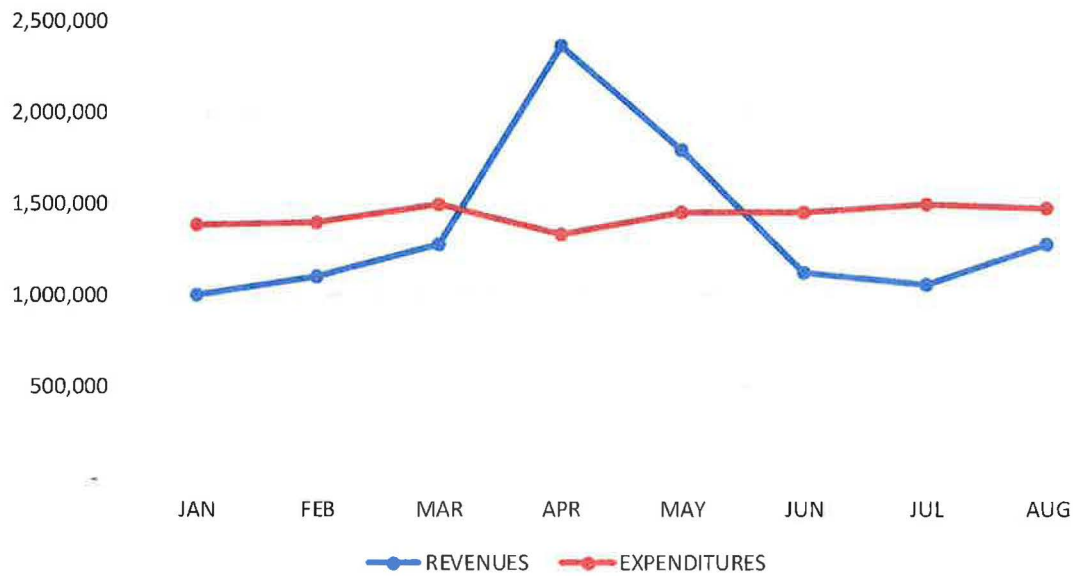


General Fund Expenditures by Month

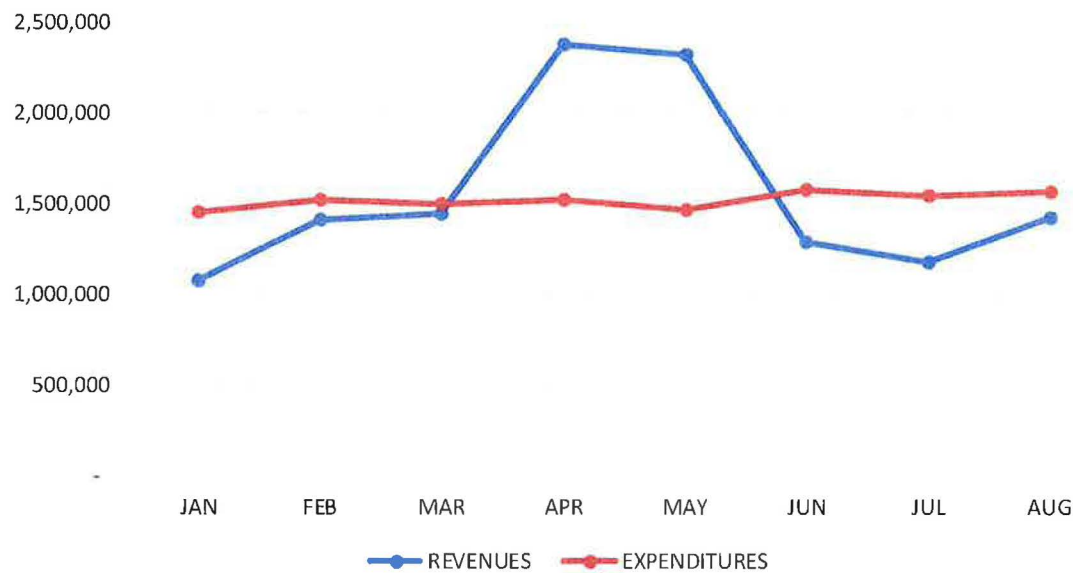


- The above graph INCLUDES only ON-GOING revenues and now EXCLUDES ONE-TIME revenues.
- Permit and Charges revenues are higher due to several business park permits and fees. Actual revenues *for these line items* are now at 100% or more of 2016 revenue budget amounts.

2015 General Fund Monthly Activity



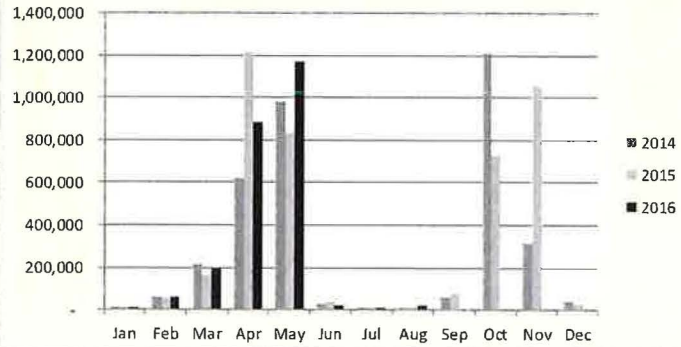
2016 General Fund Monthly Activity



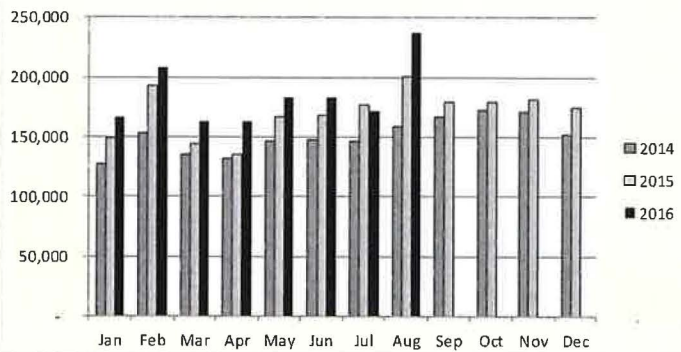
- August 2016 revenues are less than August expenditures (\$143,210) but is still a good (27%) improvement over August of last year (\$196,128). As Technology Services was moved to the General Fund (from separate internal service fund) then General Fund now has internal service revenue from other funds each month.
- August 2016's expenditures were \$1,562,985 which is \$90,524 (6%) more than August 2015.

2016 YTD Compared to 2015 YTD:**39,328 1.7%**

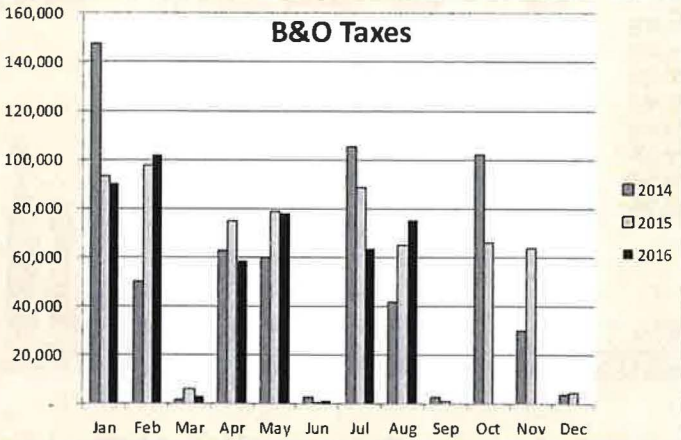
	2016	2015	2014	% Mo Chg
Jan	9,718	7,766	11,423	25.1%
Feb	62,078	55,462	57,840	11.9%
Mar	192,691	159,802	215,499	20.6%
Apr	884,255	1,214,531	615,905	-27.2%
May	1,172,679	834,623	981,322	40.5%
June	24,323	34,134	26,089	-28.7%
Jul	8,130	12,380	12,065	-34.3%
Aug	19,914	15,762	7,950	26.3%
Sep		76,908	60,275	
Oct		723,002	1,207,885	
Nov		1,054,756	316,753	
Dec		29,206	40,485	
Totals	2,373,788	4,218,332	3,553,491	

2016 YTD Compared to Annual Budget: 4,573,530 51.8%**PROPERTY TAXES****2016 Actual vs. 2015 Actual****2016 YTD Compared to 2015 YTD:****142,445 10.7%**

	2016	2015	2014	% Mo Chg
Jan	166,482	148,542	126,879	12.1%
Feb	207,580	192,640	153,733	7.8%
Mar	162,512	144,525	134,800	12.4%
Apr	162,783	135,180	132,043	20.4%
May	183,308	166,575	146,468	10.0%
Jun	182,764	167,671	147,711	9.0%
Jul	172,341	176,608	147,093	-2.4%
Aug	236,926	200,510	159,385	18.2%
Sep		179,594	166,522	
Oct		178,690	171,951	
Nov		181,241	171,692	
Dec		174,869	152,640	
Totals	1,474,696	2,046,645	1,810,917	

2016 YTD Compared to Annual Budget: 2,141,030 68.8%**SALES TAXES****2016 Actual vs. 2015 Actual****2016 YTD Compared to 2015 YTD:****(34,379) -6.8%**

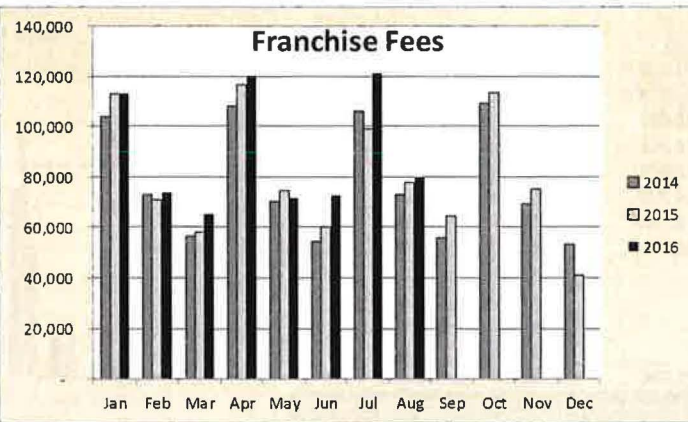
	2016	2015	2014	% Mo Chg
Jan	89,942	93,389	147,677	-3.7%
Feb	101,825	97,788	49,873	4.1%
Mar	3,106	6,095	1,493	-49.0%
Apr	58,292	75,027	62,741	-22.3%
May	78,035	78,927	59,921	-1.1%
Jun	1,262	745	2,971	69.4%
Jul	63,661	88,597	105,554	-28.1%
Aug	74,863	64,797	41,690	15.5%
Sep		1,192	2,890	
Oct		66,238	102,251	
Nov		63,614	30,155	
Dec		4,682	4,108	
Totals	470,986	641,091	611,324	

2016 YTD Compared to Annual Budget: 640,000 73.6%**B&O Taxes**

- All revenues sources shown above go to the General Fund.
- The Tax revenue shown in the above graphs EXCLUDE ONE-TIME REVENUES for all years.

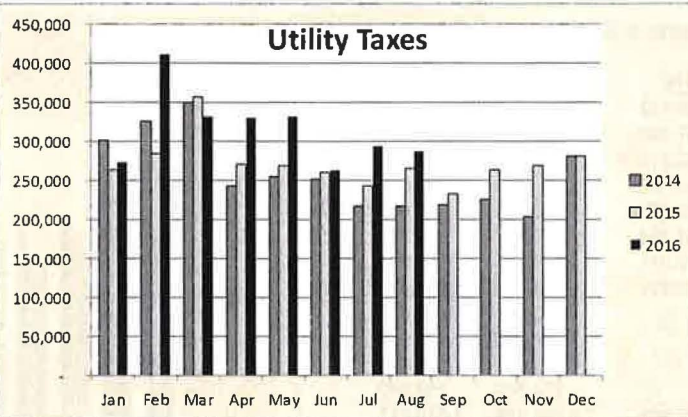
2016 YTD Compared to 2015 YTD:

	2016	2015	2014	% Mo Chg
Jan	113,463	112,750	104,055	0.6%
Feb	73,834	71,075	73,165	3.9%
Mar	65,347	57,924	56,436	12.8%
Apr	120,207	116,879	108,097	2.8%
May	71,583	74,423	70,303	-3.8%
Jun	72,626	60,470	54,540	20.1%
Jul	121,248	99,070	106,309	22.4%
Aug	79,804	77,663	73,166	2.8%
Sep		64,435	55,862	
Oct		113,761	109,105	
Nov		74,997	69,418	
Dec		40,908	53,544	
Totals	718,112	964,355	934,000	
2016 YTD Compared to Annual Budget:		996,000	72.1%	



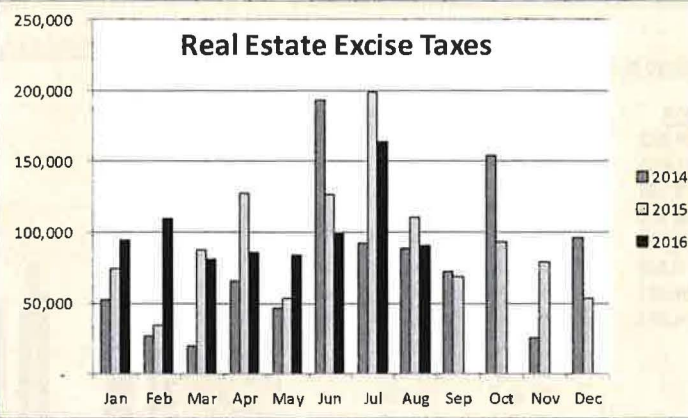
2016 YTD Compared to 2015 YTD:

	2016	2015	2014	% Mo Chg
Jan	273,337	264,911	302,063	3.2%
Feb	410,967	284,340	326,082	44.5%
Mar	332,039	357,130	351,131	-7.0%
Apr	331,283	270,479	243,314	22.5%
May	333,168	269,809	254,925	23.5%
Jun	264,151	260,950	251,914	1.2%
Jul	293,988	243,353	217,888	20.8%
Aug	287,778	265,630	218,164	8.3%
Sep		233,833	219,620	
Oct		263,509	226,349	
Nov		269,275	203,122	
Dec		281,830	280,978	
Totals	2,526,712	3,265,049	3,095,550	
2016 YTD Compared to Annual Budget:		3,722,352	67.9%	



2016 YTD Compared to Annual Budget:

	2016	2015	2014	% Mo Chg
Jan	93,909	74,382	52,276	26.3%
Feb	109,153	33,884	26,826	222.1%
Mar	80,623	88,020	19,742	-8.4%
Apr	86,005	127,450	66,103	-32.5%
May	84,072	53,190	46,430	58.1%
Jun	99,166	127,038	193,059	-21.9%
Jul	163,905	199,170	91,941	-17.7%
Aug	90,084	110,322	88,753	-18.3%
Sep		68,647	72,437	
Oct		93,478	154,557	
Nov		78,694	25,792	
Dec		53,220	96,222	
Totals	806,917	1,107,495	934,138	
2016 YTD Compared to Annual Budget:		984,520	82.0%	



- Real Estate Excise Taxes go to the Construction Fund and not the General Fund. All other revenues sources shown above go to the General Fund.
- The Tax revenue shown in the above graphs EXCLUDE ONE-TIME REVENUES for all years.

SPECIAL REVENUE FUNDS MONTHLY REPORT
AUGUST

	2016 Budget <u>Annual</u>	2016 Actual <u>Year to Date</u>	%	2015 Actual <u>Annual</u>	2015 Actual <u>Year to Date</u>	%
101 STREETS						
Begin Fund Balance	273,872	273,872		240,555	240,555	
Revenues	1,532,000	1,004,309	66%	1,254,492	844,720	67%
Expenditures	1,494,294	876,703	59%	1,221,175	809,320	66%
Net Activity	37,706	127,606		33,317	35,400	
Ending Fund Balance	311,578	401,478		273,872	275,955	
102 ARTERIAL PAVEMENT						
Begin Fund Balance	-	-		-	-	
Revenues	15,000	196,787	1312%	-	-	
Expenditures	15,000		0%	-	-	
Net Activity	-	196,787		-	-	
Ending Fund Balance	-	196,787		-	-	
107 POLICE DRUG SEIZURE						
Begin Fund Balance	10,342	10,342		7,546	7,546	
Revenues	500	20	4%	25,640	24,389	95%
Expenditures	6,000		0%	22,844		0%
Net Activity	(5,500)	20		2,796	24,389	
Ending Fund Balance	4,842	10,362		10,342	31,935	
111 HOTEL/MOTEL TAX						
Begin Fund Balance	9,593	9,593		8,161	8,161	
Revenues	84,000	55,938	67%	27,678	15,780	57%
Expenditures	80,000	48,869	61%	26,246	14,009	53%
Net Activity	4,000	7,069		1,432	1,771	
Ending Fund Balance	13,593	16,662		9,593	9,932	
140 REDONDO ZONE						
Begin Fund Balance	22,064	22,064		-	-	
Revenues	53,750	39,762	74%	101,235	85,485	84%
Expenditures	58,597	52,056	89%	79,171	58,961	74%
Net Activity	(4,847)	(12,294)		22,064	26,524	
Ending Fund Balance	17,217	9,770		22,064	26,524	

Special Revenue funds are volatile by their nature for both revenue and spending patterns.

Redondo Zone - 2016 includes computer replacement and computer maintenance costs for parking systems. Interfund services cost (for Marina folks operating this area) is higher than last year. This is an area of concern as parking revenues will need to be increased in order to cover operating costs and provide funding for area related

capital improvements. With status quo, 2016 Revised Budget Revenue estimate is \$73K and Revised Budget Expense estimate is \$91K for a reduction in Fund 140 fund balance of \$18K.

**SPECIAL REVENUE FUNDS MONTHLY REPORT
AUGUST**

142 AUTOMATION FEES

Begin Fund Balance	22,985	22,985		-	-	
Revenues	100,000	112,725	113%	22,985	15,595	68%
Expenditures	96,726	68,606	71%	-		#DIV/0!
Net Activity	3,274	44,119		22,985	15,595	
Ending Fund Balance	26,259	67,104		22,985	15,595	

180 ABATEMENT

Begin Fund Balance	1,350	1,350		-	-	
Revenues	500		0%	1,350	1,282	95%
Expenditures	200	1,833	917%	-		#DIV/0!
Net Activity	300	(1,833)		1,350	1,282	
Ending Fund Balance	1,650	(483)		1,350	1,282	

190 (ASE) AUTOMATED SPEED ENFORCEMENT

Begin Fund Balance		-		-	-	
Revenues	356,000	254,121	71%	362,149	243,725	67%
Expenditures	411,914	137,341	33%	297,760	197,361	66%
Net Activity	(55,914)	116,780		64,389	46,364	
Ending Fund Balance	(55,914)	116,780		64,389	46,364	

199 (TBD) TRANSPORTATION BENEFIT DISTRICT

Begin Fund Balance	48,160	48,160		-	-	
Revenues	880,000	509,149	58%	456,831	315,085	69%
Expenditures	434,200	502,032	116%	408,671	287,434	70%
Net Activity	445,800	7,117		48,160	27,651	
Ending Fund Balance	493,960	55,277		48,160	27,651	

August is 8 months of 12 67%

- The Automation fee revenues come from development activity and therefore are expected to fluctuate through the year. The fund is still on track to meet its revenue budget for the year.
- ASE is running a little ahead, but this revenue source declines in the summer when school is out.
- The TBD will need a supplemental budget adjustment for expenditures. The Original Budget for expenditures only included the first \$20 of car tab spending. The new, additional \$20 was included in revenues but not in the budget. Revenues for the new \$20 are started in April.

DEBT SERVICE FUNDS MONTHLY REPORT
AUGUST

	2016 Budget <u>Annual</u>	2016 Actual <u>Year to Date</u>	%	2015 Actual <u>Annual</u>	2015 Actual <u>Year to Date</u>	%
201 REET 1 ELIGIBLE DEBT SERVICE						
Begin Fund Balance		-			-	
Revenues	140,410	93,608	67%	132,659	119,472	90%
Expenditures	142,117	9,075	6%	133,023	8,803	7%
Net Activity	<u>(1,707)</u>	<u>84,533</u>		<u>(364)</u>	<u>110,669</u>	
Ending Fund Balance	<u>(1,707)</u>	<u>84,533</u>		<u>(364)</u>	<u>110,669</u>	
202 REET 2 ELIGIBLE DEBT SERVICE						
Begin Fund Balance		-			-	
Revenues	264,855	176,576	67%	252,459	252,404	100%
Expenditures	264,855	108,725	41%	252,371	102,989	41%
Net Activity	<u>-</u>	<u>67,851</u>		<u>88</u>	<u>149,415</u>	
Ending Fund Balance	<u>-</u>	<u>67,851</u>		<u>88</u>	<u>149,415</u>	

Expenditure activity reflects monthly charge for General Fund Administrative Services. In prior years Debt Service funds were not assessed their related costs for General Fund Admin Services. Semi-annual interest payments are made in June and December each year. The principal payment is made once a year in December.

MARINA FUND 401 OPERATIONS MONTHLY REPORT

(Budget Basis/Working Capital Basis)

AUGUST

		2016 Budget Annual	2016 Actual Year to Date	%	2015 Actual Annual	2015 Actual Year to Date	%
REVENUES							
374	Intergov't Grants		8,046		38,729	38,729	100.0%
340	Charges Goods & Services	105,037	71,963	68.5%	105,167	70,753	67.3%
	Fuel Sales	1,103,986	646,174		1,060,735	840,190	79.2%
350	Fines & Forefitures	15,220	12,383	81.4%	17,716	10,194	57.5%
36X	Moorage, Parking & Misc	2,878,766	1,901,307	66.0%	2,792,606	1,887,115	67.6%
369	Interfund Maint Services	25,000	30,063	120.3%	34,940	22,462	64.3%
	TOTAL	4,128,009	2,669,936	64.7%	4,049,893	2,869,443	70.9%
	<i>Fuel gallons sold</i>	<i>420,609</i>	<i>298,332</i>		<i>404,432</i>	<i>307,838</i>	
EXPENDITURES							
10	Salaries	651,693	388,880	59.7%	609,486	419,668	68.9%
20	Benefits	271,946	148,053	54.4%	247,773	169,015	68.2%
30	Supplies	168,850	98,131	58.1%	147,313	107,601	73.0%
	Fuel Purchases	949,368	515,847	54.3%	901,648	739,822	82.1%
40	Services	876,082	559,028	63.8%	817,501	523,037	64.0%
60	Capital	-	-		7,286	7,286	100.0%
90	Capital Transfers	250,000	46,345	18.5%	734,751	174,068	23.7%
90	Debt Transfers	819,830	546,552	66.7%	821,216	547,480	66.7%
	TOTAL	3,987,769	2,302,836	57.7%	4,286,974	2,687,977	62.7%
REVENUES MORE THAN OR (LESS THAN) EXPENDITURES							
		<u>140,240</u>	<u>367,100</u>		<u>(237,081)</u>	<u>181,466</u>	
	Ending Cash & Investments		1,494,936			<u>762,325</u>	
	Min Reserves - 20%		<u>747,554</u>				
	Avail to Xfer to Dock Replace		<u>497,382</u>				
	<i>Aug is 8 month of 12</i>		<u>66.7%</u>				
	<i>Fuel Profits (using COGS)</i>		<u>104,802</u>			<u>103,016</u>	

- Marina revenue is running slightly behind last year but net income is generally on-track for the year.

SWM FUND 450 OPERATIONS MONTHLY REPORT

(Budget Basis/Working Capital Basis)

AUGUST

		2016 Budget <u>Annual</u>	2016 Actual <u>Year to Date</u>	%	2015 Actual <u>Annual</u>	2015 Actual <u>Year to Date</u>	%
REVENUES							
374	Intergov't Grants		15,025				
340	Charges Goods & Services	3,264,518	2,064,545	63.2%	2,756,227	1,576,758	57.2%
360	Interest & Miscellaneous	2,000	12,786	639.3%	14,439	11,007	76.2%
	TOTAL	<u>3,266,518</u>	<u>2,092,356</u>	64.1%	<u>2,770,666</u>	<u>1,587,765</u>	57.3%

EXPENDITURES							
10	Salaries	799,230	532,890	66.7%	761,468	507,291	66.6%
20	Benefits	393,022	235,903	60.0%	342,924	223,666	65.2%
30	Supplies	75,300	44,502	59.1%	39,127	27,264	69.7%
40	Services	1,375,704	935,123	68.0%	1,077,055	723,291	67.2%
60	Capital		-		27,698	27,698	100.0%
90	Capital Transfers	592,935	-		108,498	77,897	71.8%
	TOTAL	<u>3,236,191</u>	<u>1,748,418</u>	54.0%	<u>2,356,770</u>	<u>1,587,107</u>	67.3%

**REVENUES MORE THAN OR
(LESS THAN) EXPENDITURES**

<u>30,327</u>	<u>343,938</u>	<u>413,896</u>	<u>658</u>
---------------	----------------	----------------	------------

Ending Cash & Investments	1,883,152	<u>1,158,770</u>
Min Reserves - 20% Revenues	<u>653,304</u>	
Waiting for CIP Xfer to Fund 451	<u>1,229,848</u>	

August is 8 months of 12 66.7%

- SWM is generally on-track for the year. Charges for Goods & Services come through the King County property tax billing system so April/May and October/November are peak revenue months for this fund.

INTERNAL SERVICE FUNDS MONTHLY REPORT

(Budget Basis/Working Capital Basis)

AUGUST

	2016 Budget Annual	2016 Actual Year to Date	%	2015 Actual Annual	2015 Actual Year to Date	%
500 EQUIPMENT RENTAL OPS						
Begin Fund Balance	43,756	239,158		198,523	198,523	
Revenues	602,215	376,506	63%	526,482	360,668	69%
Expenditures	545,245	273,044	50%	485,847	282,948	58%
Net Activity	56,970	103,462		40,635	77,720	
Ending Fund Balance	100,726	342,620		239,158	276,243	
501 EQUIPMENT RENTAL REPLACE						
Begin Fund Balance	1,424,750	1,618,468		1,628,405	1,628,405	
Revenues	865,334	586,039	68%	462,364	217,862	47%
Expenditures	851,860	657,941	77%	472,301	336,455	71%
Net Activity	13,474	(71,902)		(9,937)	(118,593)	
Ending Fund Balance	1,438,224	1,546,566		1,618,468	1,509,812	
506 FACILITY MAJOR REPAIRS						
Begin Fund Balance	65,423	53,339		166,401	166,401	
Revenues	75,830	50,563	67%	102,760	50,633	49%
Expenditures	79,000	4,618	6%	215,822	101,971	47%
Net Activity	(3,170)	45,945		(113,062)	(51,338)	
Ending Fund Balance	62,253	99,284		53,339	115,063	
511 COMPUTER REPLACEMENT						
Begin Fund Balance	126,766	271,177		317,436	317,436	
Revenues	401,207	320,636	80%	162,084	95,015	59%
Expenditures	262,540	144,880	55%	208,343	181,548	87%
Net Activity	138,667	175,756		(46,259)	(86,533)	
Ending Fund Balance	265,433	446,933		271,177	230,903	
520 SELF INSURANCE						
Begin Fund Balance	99,622	138,795		150,014	150,014	
Revenues	828,455	550,336	66%	637,551	424,976	67%
Expenditures	666,660	599,864	90%	648,770	604,971	93%
Net Activity	161,795	(49,528)		(11,219)	(179,995)	
Ending Fund Balance	261,417	89,267		138,795	(29,981)	
530 UNEMPLOY INSURANCE						
Begin Fund Balance	322,817	338,159		284,467	284,467	
Revenues	58,435	37,387	64%	56,143	37,390	67%
Expenditures	75,000	17,706	24%	2,451	2,451	100%
Net Activity	(16,565)	19,681		53,692	34,939	
Ending Fund Balance	306,252	357,840		338,159	319,406	

August is 8 months of 12

67%

12

MINUTES

DES MOINES CITY COUNCIL RETREAT City Council Chambers 21630 11th Avenue South, Des Moines

August 13, 2016 – 9:00 a.m.

CALL TO ORDER

Mayor Pina called the meeting to order at 9:07 a.m.

PLEDGE OF ALLEGIANCE

The flag salute was led by Mayor Pina.

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: Assistant City Manager Michael Matthias; Interim City Attorney Tim George; Municipal Court Judge Lisa Leone; Planning, Building and Public Works Director Dan Brewer; Parks, Recreation & Senior Services Director Patrice Thorell; Police Chief George Delgado; Harbormaster Joe Dusenbury; Assistant Harbormaster Scott Wilkins; Budget Manager Cecilia Pollock; Human Resources Manager Maureen Murphy; Commander Bob Bohl; Finance Director Dunyele Mason; IT Manager Dale Southwick; City Clerk Bonnie Wilkins.

Mayor Pina thanked staff and the public for attending and made a few opening remarks.

Assistant City Manager Matthias made comments to staff and the public relative to the budget process.

Finance Director Mason gave a presentation regarding the 2016-2021 current and future financial condition.

At 10:31 a.m. Council took a break.

At 10:48 a.m. Finance Director Mason continued her presentation regarding the 2016-2021 financial condition and potential budget balancing strategies.

At 12:05 p.m. Council took a break for lunch.

At 12:40 p.m. Council resumed discussion of the 2016-2021 financial plan forecast

Council gives direction to have staff bring a Resolution back to Council suspending furloughs immediately, maintaining equity among all the employee groups.

At 1:42 p.m. Council took a break.

At 1:56 p.m. Council resumed discussion of the 2016-2021 financial plan forecast.

NEXT MEETING DATE

August 18, 2016 Regular City Council Meeting

ADJOURN

The meeting was adjourned at 2:42 p.m.

Respectfully submitted,
Bonnie Wilkins, CMC
City Clerk

CITY OF DES MOINES
Voucher Certification Approval

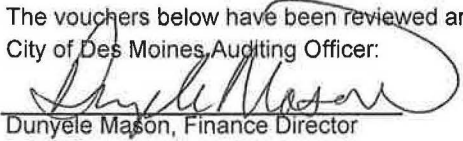
22-Sep-16

Auditing Officer Certification

Vouchers and Payroll transfers 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.

As of Sept 22, 2016 the Des Moines City Council, by unanimous vote, does approve for payment those vouchers and payroll transfers through Sept 14, 2016 included in the attached list and further described as follows:

The vouchers below have been reviewed and certified by individual departments and the City of Des Moines Auditing Officer:


Dunyele Mason, Finance Director

	# From	# To	Amounts
Claims Vouchers:			
Total A/P Checks/Vouchers	147958 ✓	148112	681,164.16
Electronic Wire Transfers	759 ✓	763	170,431.96
Total claims paid			851,596.12
Payroll Vouchers			
Payroll Checks	18844 ✓	18847	4,122.05
Direct Deposit	350001 ✓	350171	347,752.25
Payroll Checks		-	
Direct Deposit		-	
Total Paychecks/Direct Deposits paid			351,874.30
Total checks and wires for A/P & Payroll			1,203,470.42

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AGENDA ITEM

BUSINESS OF THE CITY COUNCIL City of Des Moines, WA

SUBJECT:
Highline Place Right-of-Way Dedication

ATTACHMENTS:

1. Statutory Warranty Deed with Exhibits A and B
2. Real Estate Excise Tax Affidavits, Highline Place (Grantor)

AGENDA OF: September 22, 2016

DEPT. OF ORIGIN: Planning, Building & Public Works

DATE SUBMITTED: September 15, 2016

CLEARANCES:

☒ Legal IG
☒ Finance DM
☐ Marina N/A
☐ Parks, Recreation & Senior Services N/A
☒ Planning, Building & Public Works FBC
☐ Police N/A

**APPROVED BY CITY MANAGER
FOR SUBMITTAL:** [Signature]

Purpose:

The purpose of this item is to obtain City Council's approval to convey and warrant real property from Highline Place to Des Moines by Statutory Warranty Deed. The following motion will appear on the consent calendar:

Suggested Motions

Motion: "I move to accept the deed of the land dedication from Highline Place which is along the north side of South 236th Lane, between the Highline College and Pacific Highway South, and further authorize the City Manager to sign the deed, substantially in the form as submitted."

Background:

Pursuant to RCW 35A.11.010, code cities may, through its legislative body, purchase, lease, receive, or otherwise acquire real property to hold, convey, or otherwise dispose of for common benefit. Dedication of the new 30 feet of right-of-way along South 236th Lane between the Highline College and Pacific Highway South will provide for the necessary right-of-way frontage improvements.

Discussion:

Highline Place is required to improve South 236th Lane adjacent to their property with half street improvements including paving and installation of curb, gutter, sidewalk, landscaping, and lighting. During the civil plan review process it was found that in order to construct the frontage improvements consistent with future needs that additional right-of-way would be needed. The additional right-of-way shown in Exhibit A and B (Attachment 1) to be obtained through the Statutory Warranty Deed allows Highline Place to construct frontage improvements consistent with the current Street Development Standards. Attachment 2 contains the corresponding Real Estate Excise Tax Affidavits associated with the deed.

Alternatives

None. The frontage improvements cannot be constructed to current development standards without this additional right-of-way.

Financial Impact

None.

Recommendation or Conclusion

It is recommended that the City Council approve the conveyance of the subject property.

Concurrence

Administration, Planning, Building, and Public Works, and Legal Departments concur.

WHEN RECORDED RETURN TO:

City of Des Moines
 ATTN: City Clerk
 21630 11th Avenue South
 Des Moines, WA 98198

Grantor: Highline Place, a Washington limited liability company

Grantee: City of Des Moines

Abbreviated Legal Description: A portion of Lot 20, Block 6, Federal Highway Addition to King County, according to the Plat thereof recorded in Volume 30 of Plats, pages 1 and 2, records of King County, Washington.

Additional Legal Description: Exhibit A.

Parcel No: Portion of 2500600655

STATUTORY WARRANTY DEED

THE GRANTOR Highline Place, a Washington LLC, and in consideration of project development, conveys and warrants to CITY OF DES MOINES, a Washington municipal corporation, ("Grantee"), the real property legally described on the attached **Exhibit A** with a plan depicted in **Exhibit B**, located in the County of King, State of Washington (the "Property"), subject to all matters of record.

Dated this _____ day of _____, 20__.

Grantor: Highline Place, a Washington LLC

Signature: _____

Print Name: Haibin Liu

Its: Manager

Dated: _____

IN WITNESS WHEREOF, I have hereunto set my hand and official seal the day and year first above written.

My appointment expires _____

EXHIBIT A

**D.R. STRONG
CONSULTING ENGINEERS
KIRKLAND WA 98033**

DRS Project No. 15014
8/5/16

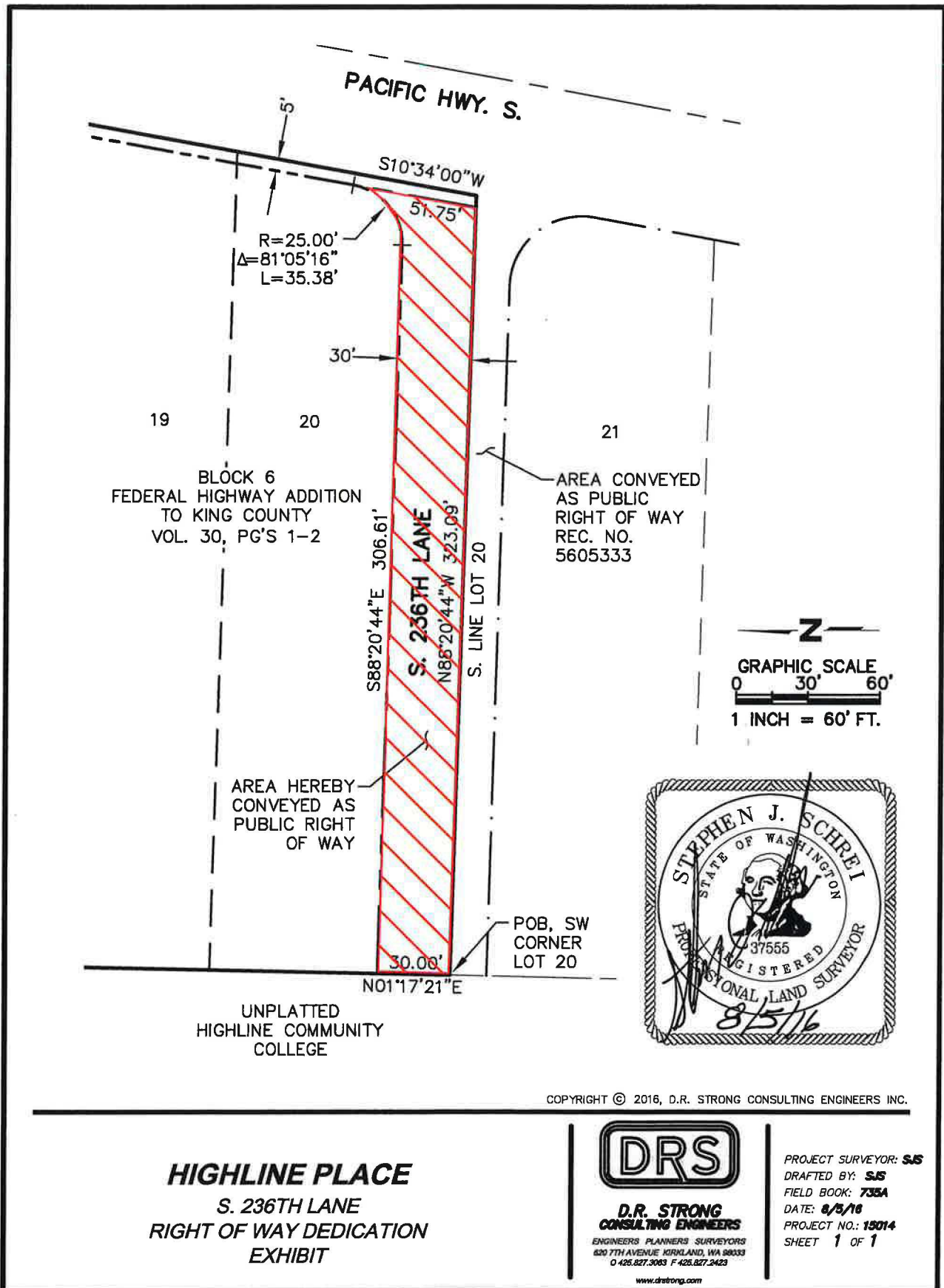
LEGAL DESCRIPTION: RIGHT OF WAY DEDICATION S. 236TH LANE

That portion of Lot 20, Block 6, Federal Highway Addition To King County, according to the Plat thereof recorded in Volume 30 of Plats, pages 1 and 2, records of King County, Washington described as follows;

BEGINNING at the southwest corner of said Lot 20, thence N01°17'21"E, along the west line of said lot, 30.00 feet to the north line of the south 30.00 feet of said lot; thence S88°20'44"E, along said north line, 306.61 feet to a point of tangency with a 25.00 foot radius curve to the left, thence northeasterly along said curve through a central angle of 81°05'16", a distance of 35.38 feet to the west line of the east 5.00 feet of said lot; thence S10°34'00"W, along said west line, 51.75 feet to the south line of said lot; thence N88°20'44"W, along said south line, 323.90.16 feet to THE POINT OF BEGINNING.

Contains 9,859± square feet, (0.2263±acres)





REAL ESTATE EXCISE TAX AFFIDAVIT

CHAPTER 82.45 RCW – CHAPTER 458-61A WAC

This form is your receipt
when stamped by cashier.

PLEASE TYPE OR PRINT

THIS AFFIDAVIT WILL NOT BE ACCEPTED UNLESS ALL AREAS ON ALL PAGES ARE FULLY COMPLETED

(See back of last page for instructions)

☒ Check box if partial sale of property

If multiple owners, list percentage of ownership next to name.

SELLER GRANTOR	1	Name <u>Highline Place, a Washington limited liability company</u>	BUYER GRANTEE	2	Name <u>City of Des Moines</u>
	Mailing Address <u>21620 84th Ave. S., Ste. 201</u>	Mailing Address <u>21630 11th Avenue South</u>			
	City/State/Zip <u>Kent, WA 98032</u>	City/State/Zip <u>Des Moines, WA</u>			
	Phone No. (including area code) <u>(253) 709-5236</u>	Phone No. (including area code) <u>(206) 870-6536</u>			
3		Send all property tax correspondence to: ☒ Same as Buyer/Grantee	List all real and personal property tax parcel account numbers – check box if personal property		List assessed value(s)
Name _____			250060-0641 ☒		_____
Mailing Address _____			250060-0650 ☒		_____
City/State/Zip _____			250060-0655 ☒		_____
Phone No. (including area code) _____			☐		_____

4 Street address of property: 23601, 23609, 23625 Pacific Hwy. South

This property is located in Des Moines

☒ Check box if any of the listed parcels are being segregated from another parcel, are part of a boundary line adjustment or parcels being merged.

Legal description of property (if more space is needed, you may attach a separate sheet to each page of the affidavit)

Attached as Exhibit A.

5 Select Land Use Code(s):
91 - Undeveloped land (land only)
enter any additional codes: _____
(See back of last page for instructions)

	YES	NO
Was the seller receiving a property tax exemption or deferral under chapters 84.36, 84.37, or 84.38 RCW (nonprofit organization, senior citizen, or disabled person, homeowner with limited income)?	☐	☒

6	YES	NO
Is this property designated as forest land per chapter 84.33 RCW?	☐	☒
Is this property classified as current use (open space, farm and agricultural, or timber) land per chapter 84.34 RCW?	☐	☐
Is this property receiving special valuation as historical property per chapter 84.26 RCW?	☐	☒

If any answers are yes, complete as instructed below.

(1) NOTICE OF CONTINUANCE (FOREST LAND OR CURRENT USE)
NEW OWNER(S): To continue the current designation as forest land or classification as current use (open space, farm and agriculture, or timber) land, **you must sign on (3) below.** The county assessor must then determine if the land transferred continues to qualify and will indicate by signing below. If the land no longer qualifies or you do not wish to continue the designation or classification, it will be removed and the compensating or additional taxes will be due and payable by the seller or transferor at the time of sale. (RCW 84.33.140 or RCW 84.34.108). Prior to signing (3) below, you may contact your local county assessor for more information.

This land ☐ does ☐ does not qualify for continuance.

DEPUTY ASSESSOR	DATE
-----------------	------

(2) NOTICE OF COMPLIANCE (HISTORIC PROPERTY)
NEW OWNER(S): To continue special valuation as historic property, **sign (3) below.** If the new owner(s) does not wish to continue, all additional tax calculated pursuant to chapter 84.26 RCW, shall be due and payable by the seller or transferor at the time of sale.

(3) OWNER(S) SIGNATURE

PRINT NAME

7 List all personal property (tangible and intangible) included in selling price.
N/A

If claiming an exemption, list WAC number and reason for exemption:

WAC No. (Section/Subsection) WAC 458-61A-205

Reason for exemption _____
Transfer to government entity for street purposes

Type of Document Statutory Warranty Deed

Date of Document _____

Gross Selling Price \$	0.00
*Personal Property (deduct) \$	0.00
Exemption Claimed (deduct) \$	0.00
Taxable Selling Price \$	0.00
Excise Tax : State \$	0.00
0.0050 Local \$	0.00
*Delinquent Interest: State \$	
Local \$	
*Delinquent Penalty \$	
Subtotal \$	0.00
*State Technology Fee \$	5.00
*Affidavit Processing Fee \$	
Total Due \$	10.00

A MINIMUM OF \$10.00 IS DUE IN FEE(S) AND/OR TAX
*SEE INSTRUCTIONS

8 I CERTIFY UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT.

Signature of Grantor or Grantor's Agent _____	Signature of Grantee or Grantee's Agent _____
Name (print) <u>Haibin Liu, Manager, Highline Place, LLC</u>	Name (print) _____
Date & city of signing: _____	Date & city of signing: _____

Perjury: Perjury is a class C felony which is punishable by imprisonment in the state correctional institution for a maximum term of not more than five years, or by a fine in an amount fixed by the court of not more than five thousand dollars (\$5,000.00), or by both imprisonment and fine (RCW 9A.20.020 (1C)).

REAL ESTATE EXCISE TAX AFFIDAVIT

CHAPTER 82.45 RCW – CHAPTER 458-61A WAC

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	City/State/Zip <u>Kent, WA 98032</u>		City/State/Zip <u>Des Moines, WA</u>	
	Phone No. (including area code) <u>(253) 709-5236</u>		Phone No. (including area code) <u>(206) 870-6536</u>	
3 Send all property tax correspondence to: ☒ Same as Buyer/Grantee		List all real and personal property tax parcel account numbers – check box if personal property		List assessed value(s)
Name _____		250060-0641 ☒		
Mailing Address _____		250060-0650 ☒		
City/State/Zip _____		250060-0655 ☒		
Phone No. (including area code) _____				

4 Street address of property: 23601, 23609, 23625 Pacific Hwy. South

This property is located in Des Moines

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Legal description of property (if more space is needed, you may attach a separate sheet to each page of the affidavit)

Attached as Exhibit A.

5 Select Land Use Code(s):
91 - Undeveloped land (land only)

enter any additional codes: _____

(See back of last page for instructions)

	YES	NO
Was the seller receiving a property tax exemption or deferral under chapters 84.36, 84.37, or 84.38 RCW (nonprofit organization, senior citizen, or disabled person, homeowner with limited income)?	☐	☒

	YES	NO
Is this property designated as forest land per chapter 84.33 RCW?	☐	☒
Is this property classified as current use (open space, farm and agricultural, or timber) land per chapter 84.34?	☐	☐
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This land ☐ does ☐ does not qualify for continuance.

DEPUTY ASSESSOR

DATE

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Date of Document _____

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Local \$	
*Delinquent Penalty \$	
Subtotal \$	0.00
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*SEE INSTRUCTIONS

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Signature of Grantor or Grantor's Agent _____	Signature of Grantee or Grantee's Agent _____
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Attached as Exhibit A.

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91 - Undeveloped land (land only)
enter any additional codes: _____
(See back of last page for instructions)

	YES	NO
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DEPUTY ASSESSOR

DATE

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PRINT NAME

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Date & city of signing: _____	Date & city of signing: _____

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INSTRUCTIONS

Note: To report a transfer of a controlling interest in real property, please use the ²⁹Real Estate Excise Tax Affidavit Controlling Interest Transfer Return, Revenue Form No. 84-0001B. This form is available online at <http://dor.wa.gov>.

Section 1:

Enter the name(s) of seller/grantor. This is the person(s) conveying interest in the property.

Section 2:

Enter the name(s) of buyer/grantee. This is the person(s) receiving interest in the property.

Section 3:

- Enter the **name and address** where you would like all future property tax information sent.
- Enter the **tax parcel number** and **current assessed value** for **real** and **personal property** being conveyed. Check the box to indicate personal property.

Section 4:

- Enter the street address of the property.
- Enter the county if in unincorporated area. Enter city name if located within a municipality.
- Enter the legal description of the property.

Section 5:

- Enter the appropriate land use code for the property. Please list all codes that apply on the lines provided in section 5. See WAC 458-53-030 (5) for a complete list.

- | | | | |
|--|--|--|---|
| ▪ 09 - Land with mobile home | ▪ 23 - Apparel and other finished products made from fabrics, leather, and similar materials | ▪ 33 - Primary metal industries | ▪ 71 - Cultural activities/nature exhibitions |
| ▪ 10 - Land with new building | | ▪ 34 - Fabricated metal products | ▪ 74 - Recreational activities (golf courses, etc.) |
| ▪ 11 - Household, single family units | ▪ 24 - Lumber and wood products (except furniture) | ▪ 35 - Professional scientific and controlling instruments; photographic and optical goods; watches/clocks manufacturing | ▪ 75 - Resorts and group camps |
| ▪ 12 - Multiple family residence (2-4 Units) | ▪ 25 - Furniture and fixtures | ▪ 39 - Miscellaneous manufacturing | ▪ 80 - Water or mineral right |
| ▪ 13 - Multiple family residence (5 + Units) | ▪ 26 - Paper and allied products | ▪ 50 - Condominiums-other than residential | ▪ 81 - Agriculture (not in current use) |
| ▪ 14 - Residential condominiums | ▪ 27 - Printing and publishing | ▪ 53 - Retail Trade - general merchandise | ▪ 83 - Agriculture current use RCW 84.34 |
| ▪ 15 - Mobile home parks or courts | ▪ 28 - Chemicals | ▪ 54 - Retail Trade - food | ▪ 86 - Standing Timber (separate from land) |
| ▪ 16 - Hotels/motels | ▪ 29 - Petroleum refining and related industries | ▪ 58 - Retail trade - eating & drinking (restaurants, bars) | ▪ 88 - Forest land designated RCW 84.33 |
| ▪ 17 - Institutional Lodging (convalescent homes, nursing homes, etc.) | ▪ 30 - Rubber and miscellaneous plastic products | ▪ 59 - Tenant occupied, commercial properties | ▪ 91 - Undeveloped Land (land only) |
| ▪ 18 - All other residential not coded | ▪ 31 - Leather and leather products | ▪ 64 - Repair services | ▪ 94 - Open space land RCW 84.34 |
| ▪ 19 - Vacation and cabin | ▪ 32 - Stone, clay and glass products | ▪ 65 - Professional services (medical, dental, etc.) | ▪ 95 - Timberland classified RCW 84.34 |
| ▪ 21 - Food and kindred products | | | ▪ 96 - Improvements on leased land |
| ▪ 22 - Textile mill products | | | |

Section 6:

Indicate whether the property is designated as forest land per chapter 84.33 RCW, classified as current use (open space, farm, agricultural, or timber) per chapter 84.34 RCW, or receiving special valuation as historic property per chapter 84.26 RCW.

Section 7:

- List **personal property** included in the selling price of the real property. For example, include tangible (furniture, equipment, etc) and intangible (goodwill, agreement not to compete, etc).
- **Use Tax** is due on personal property purchased without payment of the sales tax. Use Tax may be reported on your Combined Excise Tax Return or a Consumer Use Tax Return, both available at <http://dor.wa.gov>.
- If you are claiming a **tax exemption**, cite the specific Washington Administrative Code (WAC) number, section and subsection and provide a brief explanation. Most tax exemptions require specific documentation. Refer to the appropriate WAC to determine documentation requirements. Chapter 458-61A WAC is available online at <http://dor.wa.gov>.
- Enter the **type of document** (quit claim deed, statutory warranty deed, etc.), and **date of document** (MM/DD/YYYY)
- Enter the **selling price** of the property.
- **Selling price:** For tax purposes, the selling price is the true and fair value of the property conveyed. When property is conveyed in an arm’s length transaction between unrelated persons for valuable consideration, there is a presumption that the selling price is equal to the total consideration paid or contracted to be paid, including any indebtedness. Refer to RCW 82.45.030 for more information about selling price.
- **Deduct** the amount of **personal property** included in the selling price.
- **Deduct** the amount of **tax exemption** claimed per chapter 458-61A WAC.
- **Due Date, Interest and Penalties:** Tax is due at the time of sale/transfer. If tax is not paid within one month of the date of sale/transfer, interest and penalties will apply. The interest rate is variable and determined per RCW 82.32.050. Delinquent penalties are 5% one month after the due date; 10% two months after the due date; and 20% three months after the due date. (RCW 82.45.100)
- **State Technology Fee:** A \$5.00 Electronic Technology Fee that is due on all transactions. (82.45.180)
- **Affidavit Processing Fee:** A minimum of \$5.00 shall be collected in the form of tax and processing fee. A processing fee is due on all transactions where no tax is due and on all taxable transactions where the tax due is less than \$5.00. (RCW 82.45.180)

Section 8:

Both grantor (seller) and grantee (buyer), or the agent of each, must sign this form, certifying that all the information provided is correct. Note: Original signatures required on the “County Treasurer” copy. Signatures may be required on the “Assessors” copy. Check with your county.

Where to send completed forms:

Completed forms should be submitted to the County Treasurer's or Recorder’s Office where the property is located.

Audit:

Information you provide on this form is subject to audit by the Department of Revenue. Underpayments of tax will result in the issuance of a tax assessment with interest and penalties. Note: in the event of an audit, it is the taxpayers’ responsibility to provide documentation to support the selling price or any exemption claimed. **This documentation must be maintained for a minimum of four years from date of sale. (RCW 82.45.100)**

Ruling requests:

You may request a predetermination of your tax liability. The written opinion will be binding on both you and the Department based on the facts presented (WAC 458-20-100(9)). Send your ruling request to:

Department of Revenue
Taxpayer Information & Education
P.O. Box 47478
Olympia, WA 98504-7478
FAX (360) 705-6655

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A G E N D A I T E M

BUSINESS OF THE CITY COUNCIL City of Des Moines, WA

SUBJECT: Pokémon Go Status Reconsideration

FOR AGENDA OF: September 22, 2016

ATTACHMENTS:

DEPT. OF ORIGIN: Marina

DATE SUBMITTED: September 15, 2016

CLEARANCES:

☒ Legal
☐ Finance N/A
☒ Marina
☐ Parks, Recreation & Senior Services N/A
☐ Planning, Building & Public Works N/A
☐ Police N/A
☐ Courts N/A

APPROVED BY CITY MANAGER
FOR SUBMITTAL:

Purpose and Recommendation

The purpose of this report is to provide the City Council with an update on the impacts Pokémon Go has had on City facilities and City Parks and for the City Council to reconsider their decision to request to “opt-out” City property and rights-of-way from the Pokémon Go game. It is staff’s recommendation that Council formally withdraw the City’s request to “opt-out.”

Suggested Motion

I move to direct staff to formally withdraw the request to “opt-out” City property from the game Pokémon Go.

Background

The video game Pokémon Go became available to consumers in early July. The game was created by Niantic, Inc. and is based on one of Niantic’s earlier games, Ingress. The game features Pokémon, imaginary creatures created by Nintendo and it is “about blending gameplay and imagination with getting exercise and exploring the real world...” The game went viral almost immediately and by mid-August Niantic reported over 100 million downloads. By the beginning of September, the game was available in 100 countries.

The basic idea of the game is that the players (they call themselves “trainers”) try to capture and collect Pokémon that are randomly generated on their mobile devices, depending on where they are located. The trainers can also battle other trainers at locations called Poké Gyms using the Pokémon they have captured.

The Marina and the Beach Park became a “hotspot” for the game almost immediately. The staff has limited knowledge about how the game actually works but it is based on GPS and requires a certain level of Wi-Fi activity in the area. The Marina has a significant level of Wi-Fi signals created by its own operations. There are two wireless hotspots in the guest moorage area that are used by customers to access the internet and there are several wireless CCTV cameras in the Marina that continually send signals to the antennae on the Marina office building.

Pokémon are generated most frequently around Poké Gyms and other locations called Poké Stops. These are located at public landmarks that had been identified by users of Niantic’s previous game Ingress. Trainers can also leave “lures” at Poké Stops and Poké Gyms that will cause Pokémon to generate even faster. The unusually large cluster of Poké Stops and Poké Gyms in the Marina and Beach Park, the Wi-Fi at the Marina, and all of the people in the Marina at any given time using their mobile devices creates an ideal place to play Pokémon Go.

A website has been created that shows the frequency of Pokémon generation in any given area. Downtown Olympia is a hotspot, as is Point Defiance Park. Downtown Seattle is also active and the Bellevue-Redmond area is the most active area in the State, but the most active place between Bellevue-Redmond and Olympia is the Des Moines Marina.

By the end of July there were large crowds in the Marina every day and many of them played the game well into the early morning hours, ignoring the 10:00 pm closure for the Beach Park and the Marina parking lots. Early attempts by the Police Department to clear the lots resulted in many of the trainers moving their vehicles to Anthony’s parking lot and walking back into the Marina to continue playing. While there was not a noticeable increase in vandalism, graffiti or property damage, the large crowds were noisy and did generate more litter than normal. Because the game requires the players to move around while looking at their mobile device the biggest public safety issue was the large numbers of trainers wandering around the parking lots and traffic lanes staring at their phones or pads and not paying attention to surrounding traffic. Additionally, there were some vehicle drivers distracted by their attention to the game. As a result of the large crowds, police resources were redirected to the Marina to insure safety and orderly conduct.

Based on these issues and citizen complaints, the City Council voted on August 18, 2016 to direct staff to contact Niantic, Inc. and “opt-out” all City property and right of way for the game Pokémon Go. Staff made the request through Niantic’s website on August 19, 2016. An automatic response was received that same day stating the request would be reviewed. To date, the City has not received any additional information or response from Niantic related to this request and the game can still be played on City property.

As a result of not receiving any additional information from Niantic, City staff began to implement ways to manage the crowds. These methods included putting out signs to tell the trainers about the 10:00 pm closure, putting out extra garbage cans, working with Anthony’s to get permission to barricade their parking lot when the Marina parking lots closed and putting on extra security personnel for the long Labor Day weekend. The Police Department also stepped up enforcement of the 10:00 pm closure,

especially over the long weekend, and the Public Works Department put traffic reader boards at both entrances to the Marina/Beach Park reinforcing the closing times. The Marina staff put up a Facebook page that was linked to several other sites started by people playing the game and used the page to post notices for the trainers.

Based on the positive results that were being achieved through effective management of the gamers, the City Council received a report from staff at their September 8, 2016 meeting and a motion to reconsider the previous action was made and approved. Additionally, the request to “opt-out” was suspended until further review could be completed. The matter was set for reconsideration according the Council Rules of Procedure at the next regularly scheduled meeting, September 22, 2016.

Discussion

The Marina is designed to accommodate large numbers of people but large crowds are usually associated with special events like the 4th of July Fireworks or the weekly Farmers Market. The Pokémon Go crowds had all the impacts of large crowds, but unlike the usual special events there was no advance planning, there was no organization responsible for the operation of the event and management of the crowds and there was no set opening and closing time. It was like having a special event in the Marina every day with all the impacts but no plan to mitigate the impacts.

The “trainers” did respond to our efforts to end the gaming at 10:00 pm and to place their litter in the cans we provided. Compliance is not perfect but most of the people are leaving the Marina between 10 and 11 pm and one of the Facebook groups organized a litter clean-up event. At this time it appears that the growth of the game has peaked and between school starting and cooler weather the number of players using the Marina has gone down.

Alternatives

1. Formally withdraw the request to “opt-out.” (Suggested) City staff can attempt to open dialogue with Niantic to address public safety issues and complaints.
2. Reinstate the request to “opt-out.” Request will likely not be granted.

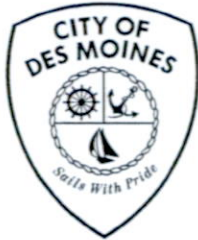
Financial Impact

There was no unusual damage to the facility as a result of the Pokemon Go crowds. Initially, the staff spent more time than normal picking up garbage but that changed when we started communicating with the players. The major impact was that Police resources were diverted from other areas of the City to deal with the large crowds.

Recommendation or Conclusion

Staff recommends to pass the motion above and to formally withdraw the request to “opt-out”.

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CITY COUNCIL REGULAR MEETING

Speaker Sign-Up Sheet

September 22, 2016

DM Marina Assoc

NAME (PLEASE PRINT)	ADDRESS	TOPIC	PHONE/E-MAIL ADDRESS
<i>Bill Linscott</i>	<i>22335 6th Ave So</i>	<i>Maine Beach Park paid parking</i>	<i>206 445-2099</i>
<i>Mount Rainier High School ASB</i>	<i>MRHS</i>	<i>School/Year update</i>	
<i>Sophie Rock</i>			
<i>Ruby Laginol</i>			
<i>Austin McElaphin</i>			
<i>Tracy Jones</i>			

7:02
7:05
7:09

MDN 2016-9-22 City Council Meeting Input (Bill Linscott: 22335 6thAve. So)

Good evening Mayor, Council and Staff.

My topic tonight is implementation of Paid Parking at the Marina and Beach Park. Specifically, the concern over expected impacts to the surrounding neighborhood areas with respect to traffic patterns and parking as people find a different path to these locations and look for opportunities to avoid paid parking by walking in from the surrounding neighborhood.

That surrounding neighborhood today already has some of those concerns with traffic, pedestrians and marginally enough parking for residents – especially on 6th Avenue. A Mitigation Plan for this has been occasionally (yet briefly) mentioned in discussions of the Paid Parking topic through the Municipal Facility Committee and even in this council session. We (in the Marina District Neighborhood) are concerned it may not be getting the attention and urgency necessary. It should be implemented at the same time and become a formal part of the overall Paid Parking Implementation itself. (One of those sayings: *It's not over till it's over – or – it's not complete until it's complete!*)

I am providing a **handout** tonight which covers a variety of recommended mitigation actions brought forward by many residents in this surrounding neighborhood. The inputs were assembled from several meetings on the Paid Parking topic (Marina held meetings). *(Thank you Joe Dusenbury for your outstanding monthly "tag up" meetings, getting us all better informed on the plans, the approach and the progress.)* In addition, we have had several "neighborhood gatherings" – walkabouts; drive arounds; and then gatherings to discuss concerns and recommendations.

These recommendations focus on: Lower speeds - using speed limit consistency; safety for pedestrians - for a walkable environment; assured access and parking for residents; increased signage – to inform/instruct vehicles and pedestrians; and, support for a reliable revenue stream from Marina and Beach Park parking – visitors should be in the paid parking area. We believe this **handout** provides a very "do-able" list of thoughtful, common sense mitigation actions that can improve the Paid Parking implementation; for the Marina and Beach Park, for the surrounding area, and for the City as a whole – because we all enjoy coming to the waterfront at some point in time.

In closing let me say: Getting a neighborhood informed and (timely) engaged in the process is a key element for success. The City and staff engagement in response is also an element. Thank you, Joe, for this high standard of active engagement. We look forward to continuing this working together approach with the staff attending to traffic and streets concerns. We would like to have Joe's Marina tag-up meetings be expanded to cover the traffic and street topics. The bottom line – ensure the best result for the community.

**Marina & Beach Park Paid Parking Implementation
Request for Neighborhood Traffic & Parking Mitigation Actions**

September 22, 2016

227th – Add three-way stop sign at intersection of 227th and 6th Avenue South.

Rationale: Slows traffic in all directions. This will also stop incoming traffic to allow drivers time to read signage regarding the Marina Paid Parking area they are about to enter. It enables the drivers to turn on 6th if they do not want to go into the Marina's parking area. Otherwise, they are committed to entering the paid parking process to turn around and come back out.

227th and 6th Avenue South – Add signage: Add the "Welcome to Marina" signage; identify controlled parking areas (parking fee required in Marina): "Welcome to Anthony's Restaurant" signage noting *customer parking validated*. Marina businesses provide validation for customers and suppliers only.

Rationale: Inform drivers before they get into the controlled parking lot that they are about to enter the Marina, where paid parking will be required. It also informs them that if they are customers or suppliers to the businesses located in the Marina, there is parking validation available at the business or Marina Office. In addition, it will state the closing time of the Marina (5am- 10pm) with a "No Loitering" reminder when closed.

6th Avenue South – Add signage: "No Parking This Side – Residents Only." Add signage along both sides of 6th Avenue from 227th at the south end – to – 221st at the north end. (This is similar to what was done around the Highline College neighborhoods.)

Rationale: Prevents people who are headed to the Marina or Beach Park from parking in the residential areas just to avoid paid parking. It allows residents and businesses to retain parking space for their residential or business usage. It also ensures a strong City revenue stream from those who are using/visiting the Marina and Beach Park.

6th Avenue South: Add four-way stop to intersection at 223rd. Add four-way stop at 222nd.

Rationale: Slow traffic at the north entrance/exit of the Marina and Beach Park area. This is a high pedestrian area for walkers, with only one narrow sidewalk on 223rd, 5th Avenue and Cliff Avenue. It is also an area with great potential for congestion (people and autos).

Establish consistency of speed limits:

- **On 223rd, west of 6th Avenue – Reduce speed limit to 15 MPH.** (Currently 25 MPH, slowing at curve to 20 and 15 MPH going down the hill)
- **On 222nd, west of 6th Avenue and on 5th Avenue – Reduce speed limit to 10 MPH.** (Currently 10 MPH going down to the Marina and Park, and 15 MPH going up the hill on 5th to 222nd)
- **Cliff Avenue – Reduce speed limit to 15 MPH.** (Currently 25 MPH, slowing at curve to 20 and 15 MPH going down the hill)

Rationale: Slow traffic passing through Outlook Park, followed immediately by the Beach Park area. This is a high pedestrian area for walkers, with narrow sidewalks or pathways on the side of 223rd, 5th Avenue and Cliff Avenue. It is also an area where several curves have poor visibility and great potential for congestion of people and vehicles. Slower speeds are appropriate, as these streets literally intersect the City's Outlook Park I and Outlook Park II.

Parking Lots at the Marina and Beach Park – Reduce speed limit to 10 MPH. (Currently there is inconsistency – at 20 MPH, 15 MPH and 10 MPH.)

Rationale: Establish consistent speed limits and slow traffic passing through parking areas. These slower speeds are justified, as there is significant congestion with pedestrians, vehicles and boats.

Paint new arrows and speed limit on parking lot fairways.

Rationale: Make traffic path and speed limit more obvious.

6th and 7th Avenue Safety Concerns: With the paid parking plan, there will be two separate entrances to the waterfront area. A south entrance primarily serving Marina tenants, Anthony's restaurant, and the Marina's boating businesses. A north entrance which services the Marina public docks, pier and the Beach Park. Dock Avenue, which connects the south and north lots, will be closed. This will cause 6th Avenue and 7th Avenues to become replacement corridors for north to south traffic. 7th Avenue is a finished street (curbs, sidewalks, crosswalks), and will have an influx of pedestrians in the coming year. The speed limit is 30 MPH. 6th Avenue has a few curbs and sidewalks, but no painted sidewalks. It is clearly unfinished at this point in time. 6th Avenue has no posted speed; therefore, assumed to be 25 MPH. The same is true with connecting streets between 6th and 7th Avenues.

The following would improve safety in this area:

7th Avenue: Reduce speed to 25 MPH. Install "blinking" crosswalk lights at crosswalks

Rationale: Slow traffic passing through an area that is increasing in traffic volume and more density with its pedestrian population.

6th Avenue: Reduce speed to 20 MPH; Paint crosswalks at corners of 227th, 226th and 222nd.

Rationale: Slow traffic in a high pedestrian area. The street has a great deal of head-in parking and in some cases vehicles protrude into the street itself. The curbs and sidewalk are partially finished, which makes a challenging pedestrian path. With the closure of Dock Avenue, this will become the primary north/south pathway between waterfront accesses. It will have increased traffic and more density with its pedestrian population from planned development on adjacent streets (7th Avenue and 226th).

5th Avenue and Cliff Avenue Intersection: Add *No Right Turn* sign from 5th Avenue to Cliff Avenue (going down); and *No Left Turn* sign from Cliff Avenue to 5th Avenue (going up). An alternative to this is closing off 5th Avenue as a dead end just before Cliff Avenue. Something we understand was previously considered some time ago.

Rationale: The sharpness of the turn and the ability to see around the corner is a safety concern.

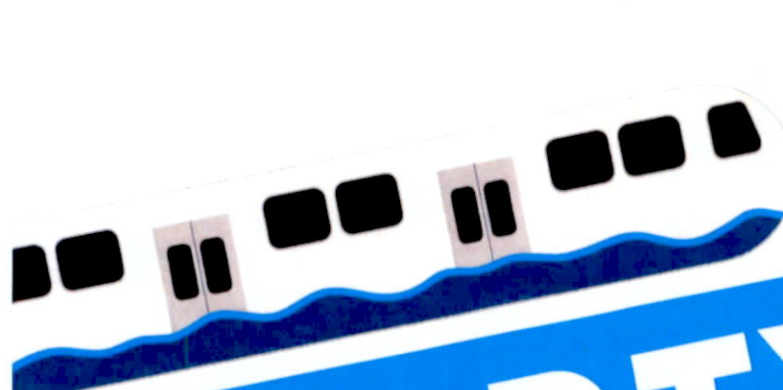
Alley Ways: Add 10 MPH speed limit signs and *No Parking Any Time* signs to both sides of alley ways.

Rationale: Currently no posted speed limit, yet needs to be slow. The alley ways are readily used for access to residential parking areas. In addition, new residential and business development will increase traffic in these alley ways. Additionally, those looking to avoid paying for parking in the Marina will find alley ways to be an opportunity for parking. Also, these alley ways provide critical access for emergency vehicles.

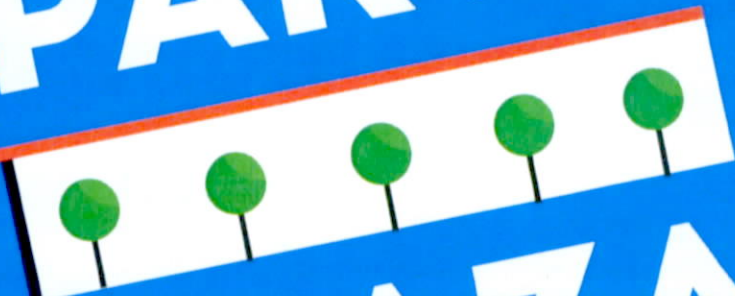
Speed Bumps or Small Roundabouts: Consider speed bumps or roundabouts as a method to reduce speed on 6th Avenue and 227th. Rationale: Encourage adherence to 20 MPH speed limit postings.

Add Turn Lane on 227th: Add turn lane on 227th to enable large vehicle service and delivery access to Mariner Manor Condominium.

Rationale: Enable large vehicle access for delivery and services and avoid traffic congestions.



PARTY ON THE PLAZA



Sponsored by:

- City of SeaTac
- Seattle Southside Regional Tourism Authority
- Sound Transit
- Soundside Alliance
- Museum of Flight
- Doubletree Hotel
- Alaska Airlines

SEPTEMBER 24, 2016
11 A.M. - 2 P.M.

Come celebrate the opening of the
Angle Lake Station!

Enjoy entertainment, music,
refreshments, and free raffle tickets for
Orca cards and the Museum of Flight.



Presentation Outline

Council Meeting

September 22, 2016

At the September 8th meeting the staff updated the Council on the impacts of the Pokémon Go mobile gaming phenomena and recommended that the City reconsider its direction to contact the gaming company to have the Pokémon Go symbols deactivated the Marina and Beach Park.

At that time staff talked about the current situation, what was being done to engage the gamers and manage the crowds and what staff expected in the immediate future.

The staff told the Council that, with the support of our Police Department, their efforts to enforce the 10 PM closure of the Marina parking lots were largely effective and that the problems associated with the crowds were decreasing in number and scope.

During the last two weeks the Pokémon crowds have continued to decline in number and duration and the negative impacts have continued to decrease also. The staff is planning on removing the traffic reader boards at the end of the month but we will keep the signage up for another 30 days. We will continue to insure the Marina is a safe environment for all our visitors and take enforcement actions to discourage inappropriate behavior.

We have continued to talk to the "Trainers" and staff has found out more about how the game is played and why the Des Moines Marina became a "hotspot". The staff found out that the generation of the Pokémon figures is related to the overall amount of Wi-Fi signals in the immediate area, and since there are a lot of wireless devices in the Marina, a lot of Pokémon, especially the rare ones, were being generated by the game. Social media also played a significant role because the "trainers" could spread word of their success immediately to large numbers of other gamers.

The staff believes that this is the beginning of "augment reality games on mobile devices" and that we have to have contingency plans for similar events. We believe it is accurate to say that it was a fairly unique set of circumstances that made the Marina and Beach Park a popular place to play the game and future games may be entirely different, with little or no impact on the City.

But we still need to have a contingency plan to manage the impacts of future games because they are essentially long term special events without an organizer or a permit. If something like this happens in the future, the Marina will need the ability to shift some staff and add extra security personnel to maintain a presence

after normal business hours just like we would for any other special event. It is our belief that paid parking at the Marina will also help control this situation.

At the last Council meeting the staff recommended that the Council reconsider their decision to ask Niantic, Inc. to remove the game sites from the City. The staff is still recommending that course of action.

PUBLIC RECORDS ACT COMPLIANCE UPDATE

TIM GEORGE, INTERIM CITY ATTORNEY

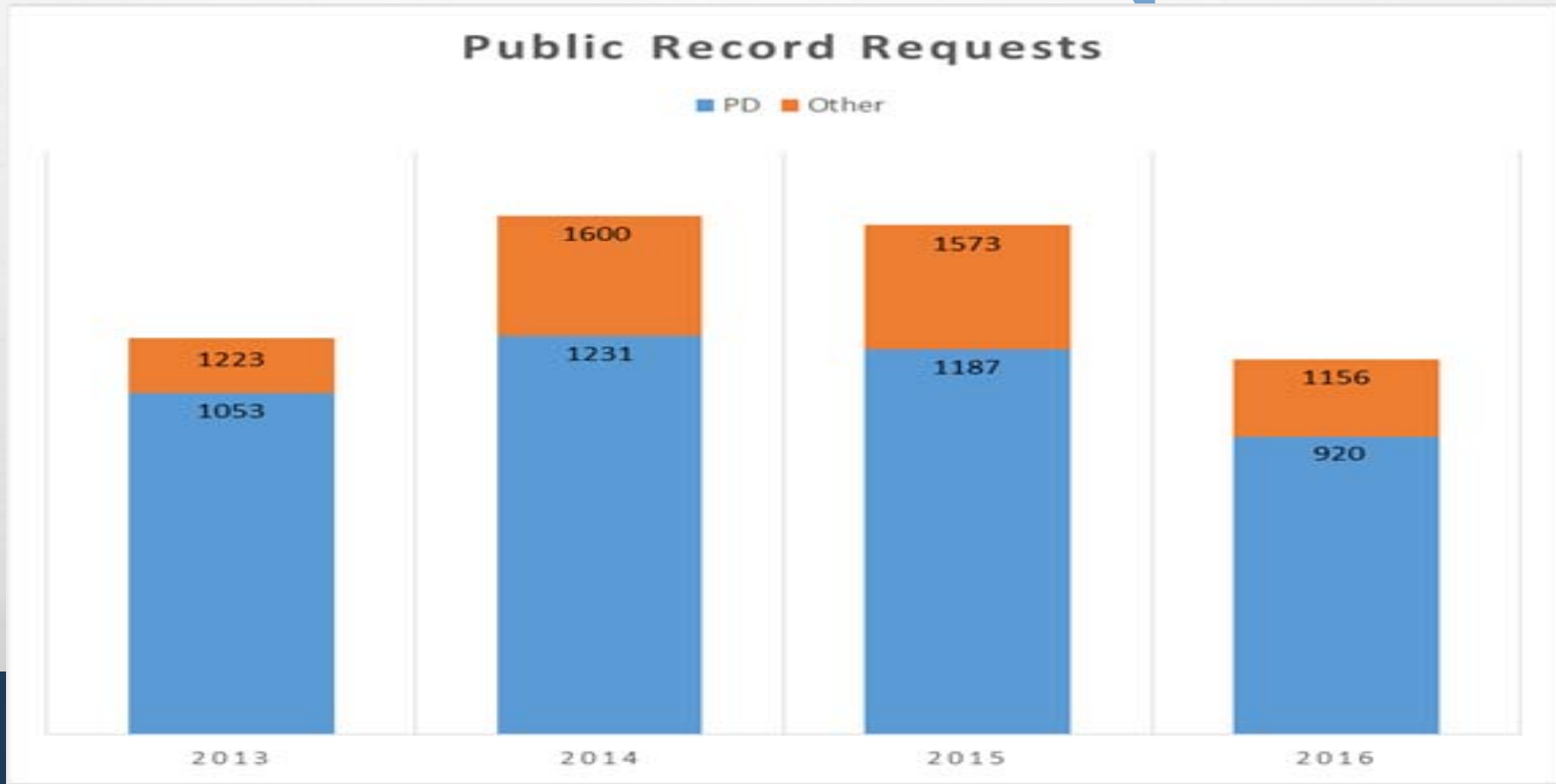
SEPTEMBER 22, 2016



PUBLIC RECORDS ACT

Each agency, in accordance with published rules, shall make available for public inspection and copying all public records, unless the record falls within specific exemptions. (RCW 42.56.070)

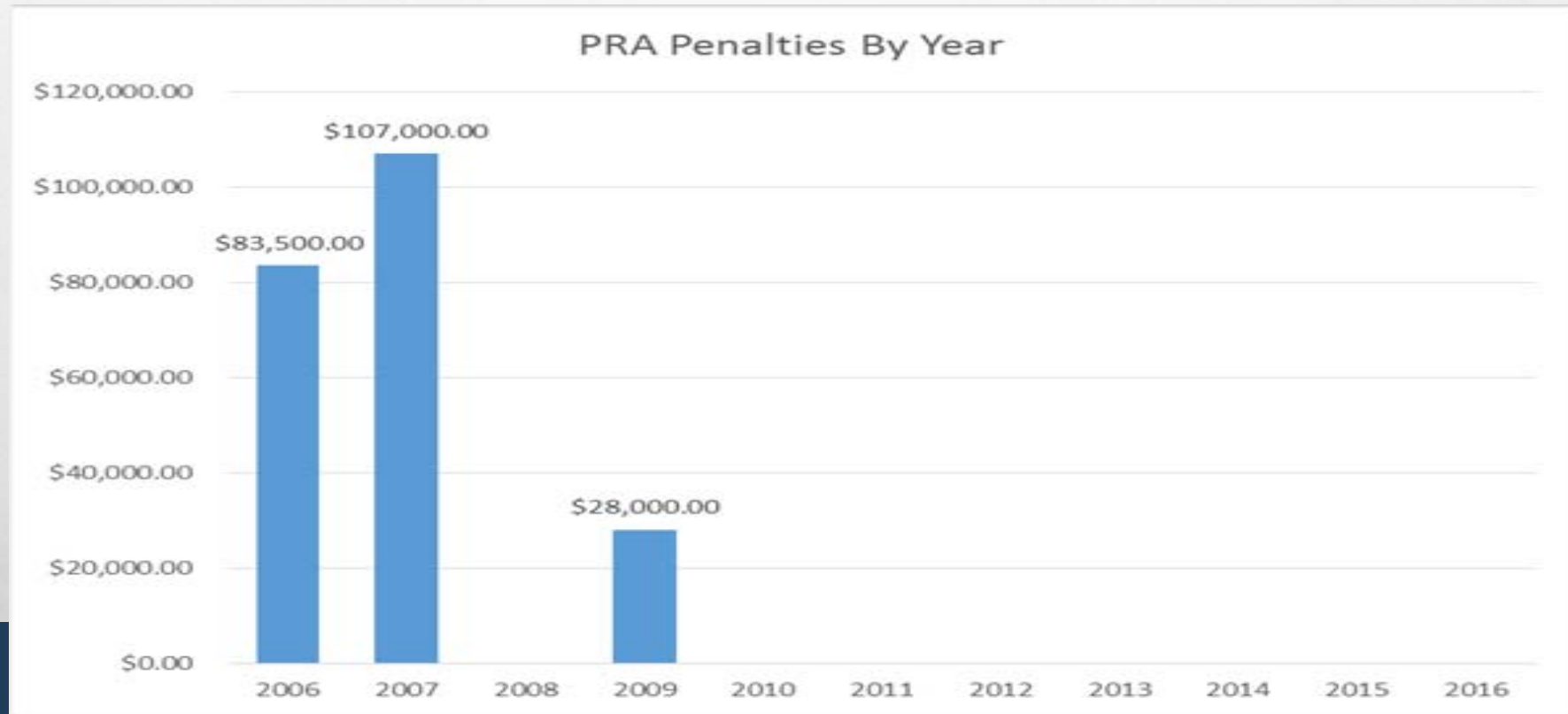
VOLUME OF RECORDS REQUESTS



COST OF COMPLIANCE

- Cost to the City to comply with PRA is approximately \$127,500 per year in staff time.
- Revenue (fees) collected for 2015 was \$1,478.98

COST OF NON-COMPLIANCE



UPDATED CITY RESPONSE TO RECORDS REQUESTS

- Updated policy in 2012
 - “The City shall provide for inspection and copying of requested public records as provided in this policy and procedure.”
- Updated forms (helpful for requestor and for City staff)
- Updated attitudes
- Increased access to records online
- Online requests can be made at www.desmoineswa.gov

I COMPASS

https://desmoines.civicweb.net/Items/List.aspx

Des Moines, WA - Official ... Des Moines Municipal Code iCompass: Tracking Lists

File Edit View Favorites Tools Help

Search

Action Tracking Meeting Manager Document Center Admin Help tgeorge

Des Moines

Tracking Lists

+ Add + Create List Edit List Advanced Search View Recycle Bin Export

Indicates a shared list.

Options	Item Number	Case #	Requestor's Name	Received By	Date Request Received	Primary Staff	Status	Respond by / before
	PRR - 5537		Tony Wilson	Bonnie Wilkins	05 Sep 2016	Dave Steen	Received	
	PRR - 5542		Sheila Brush	Bonnie Wilkins	06 Sep 2016	Bonnie Wilkins	Received	
	PRR - 5545		scott and sherry isenberg	Bonnie Wilkins	09 Jun 2016	Dave Steen	Received	
	PRR - 5581		Carol Peisley, Appraiser	Bonnie Wilkins	14 Sep 2016	Dave Steen	Received	
	PRR - 5583		Stephanie Slaughter	Bonnie Wilkins	06 Sep 2016	Bonnie Wilkins	Active	
	PRR - 5584		Heidi Hale	Bonnie Wilkins	14 Sep 2016	Dave Steen	Received	
	PRR - 5593		Michael Bowman	Dave Steen	15 Sep 2016	Dave Steen	Active	
	PRR - 5603		Amy Crewdson	Bonnie Wilkins	16 Sep 2016	Dave Steen	Received	
	PRR - 5607		Kathryn Majnarich	Bonnie Wilkins	16 Sep 2016	Dave Steen	Received	
	PRR - 5615		Catherine Rosales	Bonnie Wilkins	19 Sep 2016	Pamela McConville	Received	
	PRR - 5616		Kathy Bates	Bonnie Wilkins	19 Sep 2016	Pamela McConville	Received	
	PRR - 5619		John Everett		19 Sep 2016			
	PRR - 5404		Dan Carlson	Bonnie Wilkins	08 Aug 2016	Dave Steen	Active	15 Aug 2016
	PRR - 5483		Rick Johnson	Bonnie Wilkins	22 Aug 2016	Bonnie Wilkins	Active	06 Sep 2016
	PRR - 5525		Tim Savolyuk	Dave Steen	24 Aug 2016	Dave Steen	5-day response	16 Sep 2016
	PRR - 5597		Michele LeCompte, KC Assessor	Dave Steen	15 Sep 2016	Dave Steen	Received	20 Sep 2016
	PRR - 5579	16-2355	Dave Knipp	Bonnie Wilkins	16 Sep 2014		Received	21 Sep 2016
	PRR - 5582	16-10619	Chris Van Vladricken	Bonnie Wilkins	14 Sep 2016		Received	21 Sep 2016
	PRR - 5602	16-1358 & 15-2235	Sara Seager	Bonnie Wilkins	15 Sep 2016	Ellie Hooman	Received	22 Sep 2016
	PRR - 5246	15-1158	Christina Dislers	Kathy Larson	06 Jul 2016	Sara Lee	Active	23 Sep 2016
	PRR - 5524		Cheryl L. Johnson	Bonnie Wilkins	01 Sep 2016	Bonnie Wilkins	5-day response	23 Sep 2016
	PRR - 5605	16-0080	Leslie M. Marquez Amador	Michelle O'Hearn	16 Sep 2016		Received	23 Sep 2016
	PRR - 5608	16-2248	Lexis Nexis	Kathy Larson	17 Sep 2016		Received	23 Sep 2016
	PRR - 5609	16-2285	Lexis Nexis	Kathy Larson	17 Sep 2016		Received	23 Sep 2016

Need Help?

STAFF PROCEDURE

- Public Records request Received
- City Clerk logs into i-Compass
- Routed to appropriate departments
- City must respond within 5 days (Records provided or letter stating reasonable estimated time for response)
- Legal review if any potential exempt material
- Records provided

REQUIREMENTS UNDER THE LAW

- Basic legal requirements
 - Respond to request within 5 days
 - Make records available for inspection and copying
 - Provide detailed reason for exempting records

Cities give in to notorious records requester



He was known as the reclusive computer programmer who forced the Seattle Police department to be more transparent. Now Tim Clemans is using the state's Public Records Act to take on every city in King county.

Elisa Hahn, KING 5 News 2:18 p.m. EST January 8, 2016



DES MOINES, Wash. -- He was known as the reclusive computer programmer who forced the Seattle Police Department to be more transparent. Now Tim Clemans is using the state's



WHEN RECORDS WON'T BE PROVIDED

- Personal information (redacted)
- Victim/Juvenile information (redacted)
- Health records
- Attorney/client privilege
- Active investigations

EXAMPLE OF WHY PRODUCING RECORDS CAN BE COSTLY/TIME CONSUMING

Public Records Request for all emails related to the City's 2016 budget

I.T. Department conducts city wide e-mail search for the word "budget".

- 10,000 emails are recovered.
- 9,980 contain no exempt information.
- 20 emails contain health records and/or personal information and simply had the word "budget" somewhere in the email.
- City staff must review all emails, sometimes in the thousands, prior to release.

OUTLOOK: MOVING FORWARD

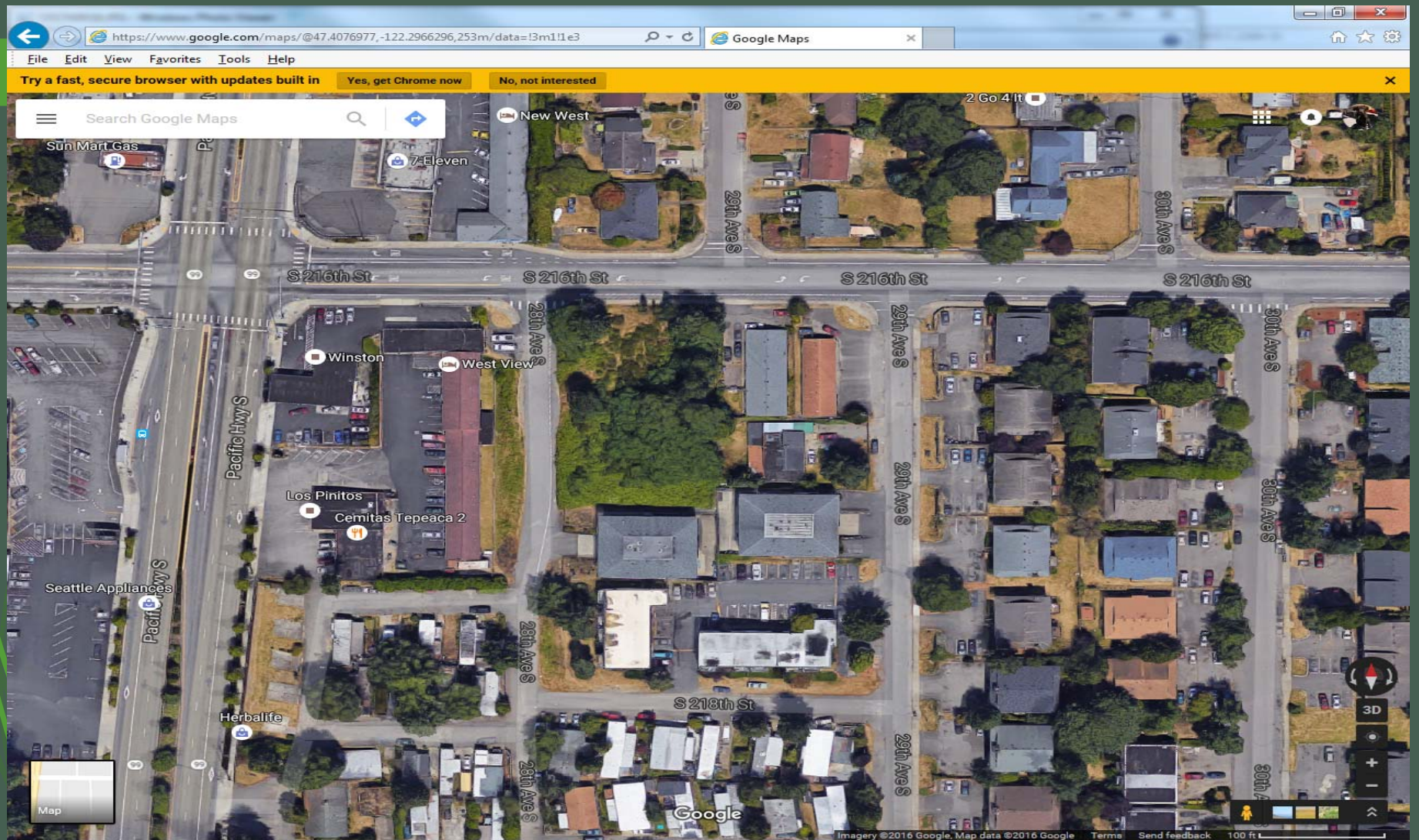
- Continue to follow state law and city policy
- Make as many records available online as possible
- Explore technological options to decrease staff time in producing and reviewing records
- Continue to work with requestors to ensure satisfied citizens



Nuisance Property Abatement (216th and 29th Ave)

Tim George, Interim City Attorney

September 22, 2016



 City of Des Moines
OFFICE OF THE CITY ATTORNEY
21630 11TH AVENUE SOUTH, SUITE C
DES MOINES, WASHINGTON 98198
(206) 870-6553 FAX (206) 870-6872

CITY OF DES MOINES
Civil Violation

NOTICE OF CIVIL VIOLATION
Des Moines Municipal Code 1.28

Date of Issuance of Notice: September 7, 2016

Persons Responsible for Violation: Victor Pham
9604 Blue Thistle Way
Elk Grove, CA 95624

Victor Pham
14448 8th Ave S
Burien, WA 98168

Victor Pham
2326 S 128th St
Seatac, WA 98168

Sunset Development LLC
9604 Blue Thistle Way
Elk Grove, CA 95624

Sunset Development & Investment LLC
14448 8th Ave S
Burien, WA 98168

Location of Violation: 2805 S 216th St
Des Moines, WA 98198

1. Circumstances Under Which Notice Is Issued

The City of Des Moines City Manager has determined that a civil violation for which you are responsible as the owner of the property at 2805 S 216th St, Des Moines, WA 98198, has occurred at the location identified in this Notice of Civil Violation (hereinafter "Notice"). This Notice is issued pursuant to the following circumstances:

The subject property has been overgrown with weeds in excess of 12 inches and noxious weeds, both being violations of DMMC 14.05.120(4), as observed by City of Des Moines employees since December 8, 2012 or earlier. This situation persists to this day.

Notice of Civil Violation
09/07/16
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The Waterland City
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**September 20,
2016**







2016.09.20











2016.09.20





2016.09.20





2016.09.20







**September 22,
2016**



2016.09.22



2016.09.22





