

AGENDA

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

December 1, 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

Item 1: EMERGING ISSUES

Item 2: DATA FROM ECONOMIC DEVELOPMENT COUNCIL

Item 3: BLOCK WATCH CAPTAIN'S MEETING RECAP

CONSENT CALENDAR

Item 1: DRAFT RESOLUTION NO. 16-184; SETTING A PUBLIC HEARING AMENDING ALLOWED USES IN THE PR-C ZONE NORTH OF SOUTH 216TH STREET
Motion is to adopt Draft Resolution No. 16-184 setting a public hearing on January 19, 2017, or as soon thereafter that the matter can be heard, to consider amending the permitted uses in the PR-C Pacific Ridge Commercial Zone north of South 216th Street.

Item 2: DRAFT RESOLUTION NO. 16-185; REGARDING SCREENING REQUIREMENTS FOR ROOF TOP MECHANICAL EQUIPMENT ON INDUSTRIAL BUILDINGS IN THE BP ZONE
Motion is to adopt Draft Resolution No. 16-185 setting a public hearing on January 9, 2017, or as soon thereafter as the matter may be heard, to consider amending the screening requirements for roof top mechanical equipment on industrial buildings within the BP zone.

Item 3: DRAFT RESOLUTION NO. 16-188; APPOINTMENT OF CLAIMS FOR DAMAGES ACCEPTANCE AGENTS
Motion is to adopt Draft Resolution No. 16-188 updating the appointed Acceptance Agents for Claims for Damages filed against the City pursuant to chapter 4.96 RCW and superseding Resolution No. 1222.

- Item 4: DRAFT RESOLUTION NO. 16-173; SETTING A PUBLIC HEARING TO CONSIDER CODE AMENDMENTS IN SUPPORT OF LOW IMPACT DEVELOPMENT
Motion is to adopt Draft Resolution No. 16-173 setting a public hearing on January 5, 2017, or as soon thereafter that the matter can be heard, to consider amending the DMMC related to Low Impact Development.

PUBLIC HEARING

- Item 1: DRAFT ORDINANCE NO. 16-181; ZONING CONTROLS FOR W-C AND T-C ZONES

OLD BUSINESS

- Item 1: 2017 LEGISLATIVE PRIORITIES
Staff Presentation: City Manager Michael Matthias

NEW BUSINESS

- Item 1: 2017 INTERGOVERNMENTAL POLICIES AND POSITIONS
Staff Presentation: City Manager Michael Matthias
- Item 2: 2017 COUNCIL VISION, MISSION STATEMENT, GOALS AND STRATEGIC OBJECTIVES
Staff Presentation: City Manager Michael Matthias

NEXT MEETING DATE

December 8, 2016 City Council Regular Meeting

EXECUTIVE SESSION

ADJOURNMENT

Administration Report Item 2

A G E N D A I T E M

BUSINESS OF THE CITY COUNCIL
City of Des Moines, WA

SUBJECT: Data From Economic Development Council.

ATTACHMENTS:

1. Economic Development Council of Seattle & King County, Market Information for City of Des Moines.

FOR AGENDA OF:

DEPT. OF ORIGIN:

DATE SUBMITTED:

CLEARANCES:

- ☐ Legal N/A
- ☐ Finance N/A
- ☐ Marina 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 Market Information compiled by the Economic Development Council of Seattle & King County for the City of Des Moines.

Financial Impact

None.

Recommendation or Conclusion

None.

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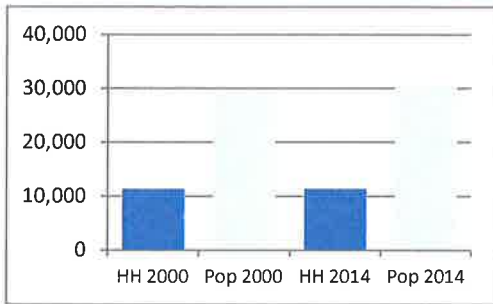
Economic Development Council
of Seattle & King County

Market Information for City of Des Moines

September 2016

DES MOINES, WA

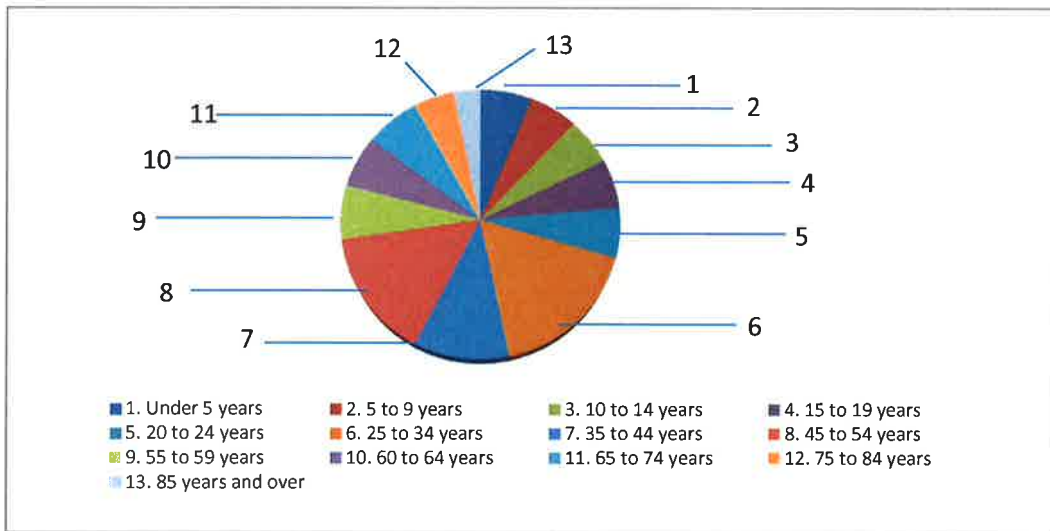
Households and Population



► The population of the City of Des Moines is 30,570, according to Office of Financial Management (April 2016).

Between 2010 and 2040, the United States' population is expected to grow by about 71,473,462 persons, reaching 380,219,000 in 2040

Population by Age

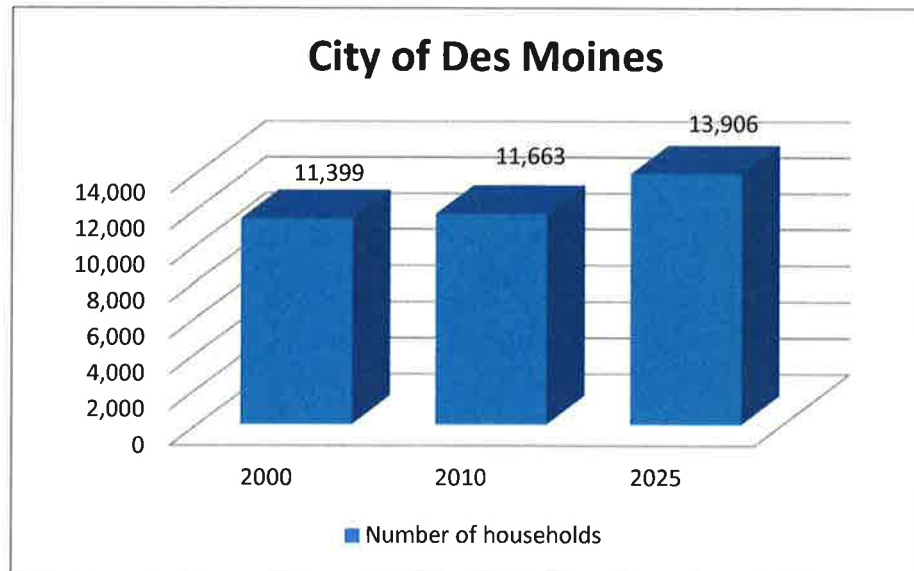


Total Population		
	Number	Percent
Under 5 years	1,890	6.2%
5 to 9 years	1,757	5.8%
10 to 14 years	1,691	5.6%
15 to 19 years	1,824	6.0%
20 to 24 years	1,808	5.9%
25 to 34 years	5,226	17.2%
35 to 44 years	3,255	10.7%
45 to 54 years	4,622	15.2%
55 to 59 years	1,942	6.4%
60 to 64 years	1,920	6.3%
65 to 74 years	2,020	6.6%
75 to 84 years	1,470	4.8%
85 years and over	978	3.2%
Total	30,570	100%

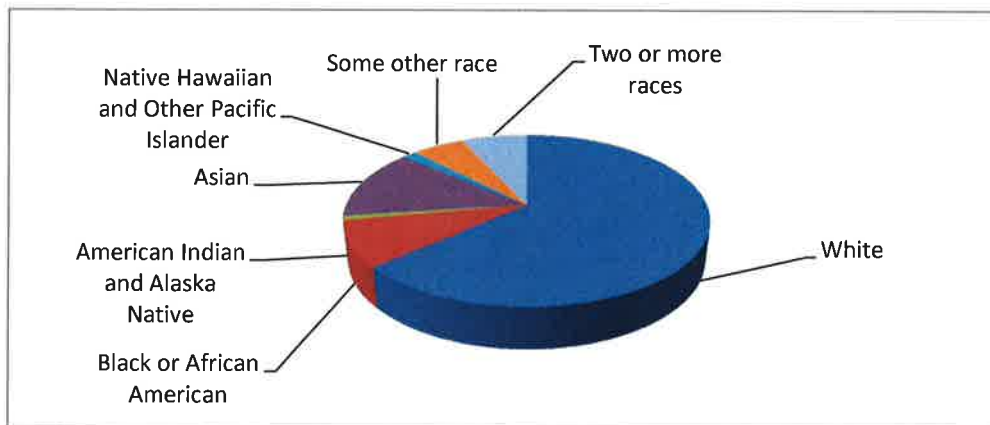
► The 2014 median age for this population is 33.4

The year-2014 median age for the United States is 37.7

Historical Growth Rate



Population by Race and Ethnicity



► Of this area's 2014 estimated population:

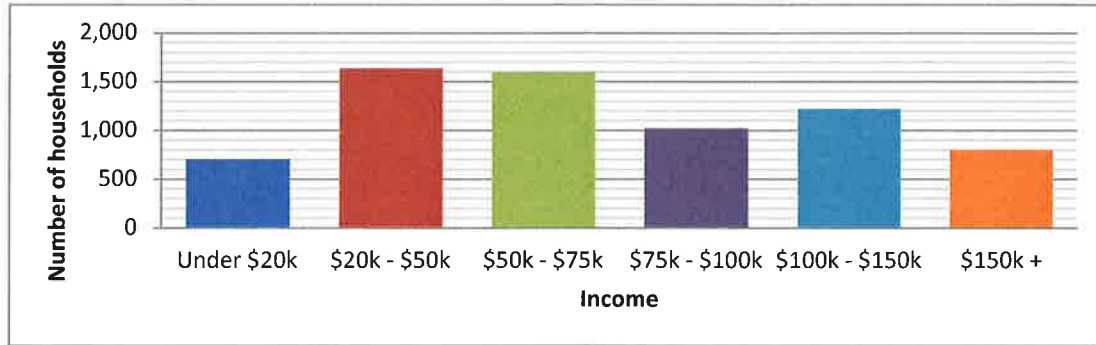
63.5% are White Alone, 8.6% are Black or African American Alone, 0.8% are American Indian and Alaska Nat., 13.2% are Asian Alone, 1.6% are Nat. Hawaiian and Other Pacific Isl. Alone, 4.6% are Some Other Race, and 6.8% are Two or More Races.

For the entire United States:

73.4% are White Alone, 12.7% are Black or African American Alone, 0.8% are American Indian and Alaska Nat., 5.2 % are Asian Alone, 0.2 % are Nat. Hawaiian and Other Pacific Isl. Alone, 4.7 % are Some Other Race, and 3.0% are Two or More Races.

► This area's 2014 estimated Hispanic or Latino is 16.6%, while the United States' estimated Hispanic or Latino population is 17.3%

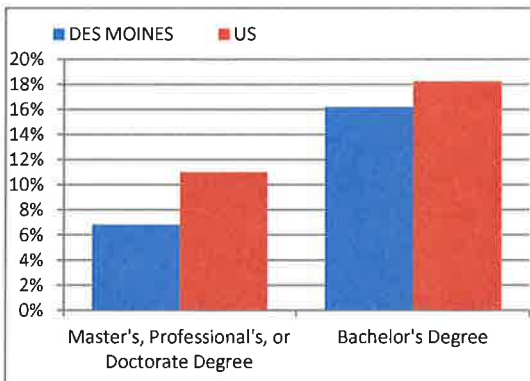
Household Income



► The median and mean household income are estimated to be \$58,308 and \$72,053 respectively for the year of 2014, while the median and mean household income for the United States are estimated to be \$53,482 and \$74,596 respectively.

► The 2014 estimated per capita income for this area is \$27,933, compared to an estimate of \$28,555 for the United States as a whole.

Higher Education Achievement Rates



► In 2014, it is estimated that 6.8% of the population age 25 and over in this area had earned a Master's, Professional's, or Doctorate Degree and 16.2% had earned a Bachelor's Degree.

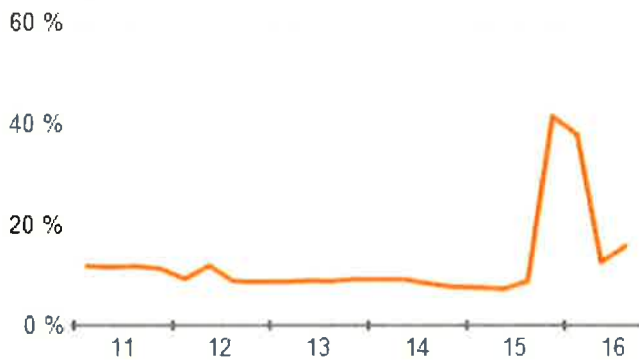
In comparison, for the United States, it is estimated that for the population over age 25, 11% had earned a Master's, Professional's, or Doctorate Degree, while 18.3% had earned a Bachelor's Degree.

City of Des Moines

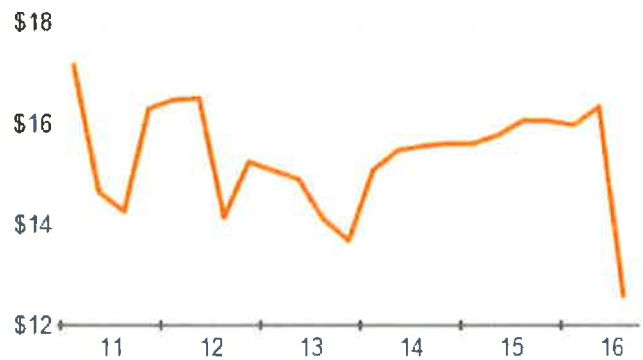
Availability	Survey	5-Year Avg	Inventory	Survey	5-Year Avg
Rent Per SF	\$12.58	\$15.52	Existing Buildings	232	228
Vacancy Rate	15.9%	8.4%	Existing SF	4,904,795	4,451,978
Vacant SF	223,887	149,209	12 Mo. Const. Starts	783,496	413,340
Availability Rate	11.6%	13.8%	Under Construction	783,496	302,054
Available SF	255,070	265,858	12 Mo. Deliveries	531,659	531,659
Sublet SF	46,959	4,087			
Months on Market	9.0	22.4			

Demand	Survey	5-Year Avg	Sales	Past Year	5-Year Avg
12 Mo. Absorption SF	374,094	89,611	Sale Price Per SF	\$157	\$118
12 Mo. Leasing SF	897,775	197,348	Asking Price Per SF	\$112	\$105
			Sales Volume (Mil.)	\$34	\$31
			Cap Rate	5.6%	6.6%

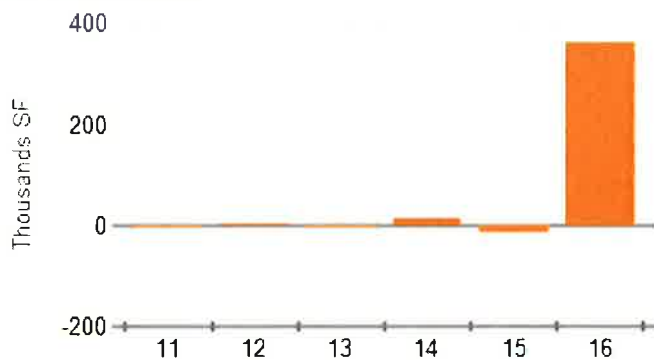
Vacancy Rate

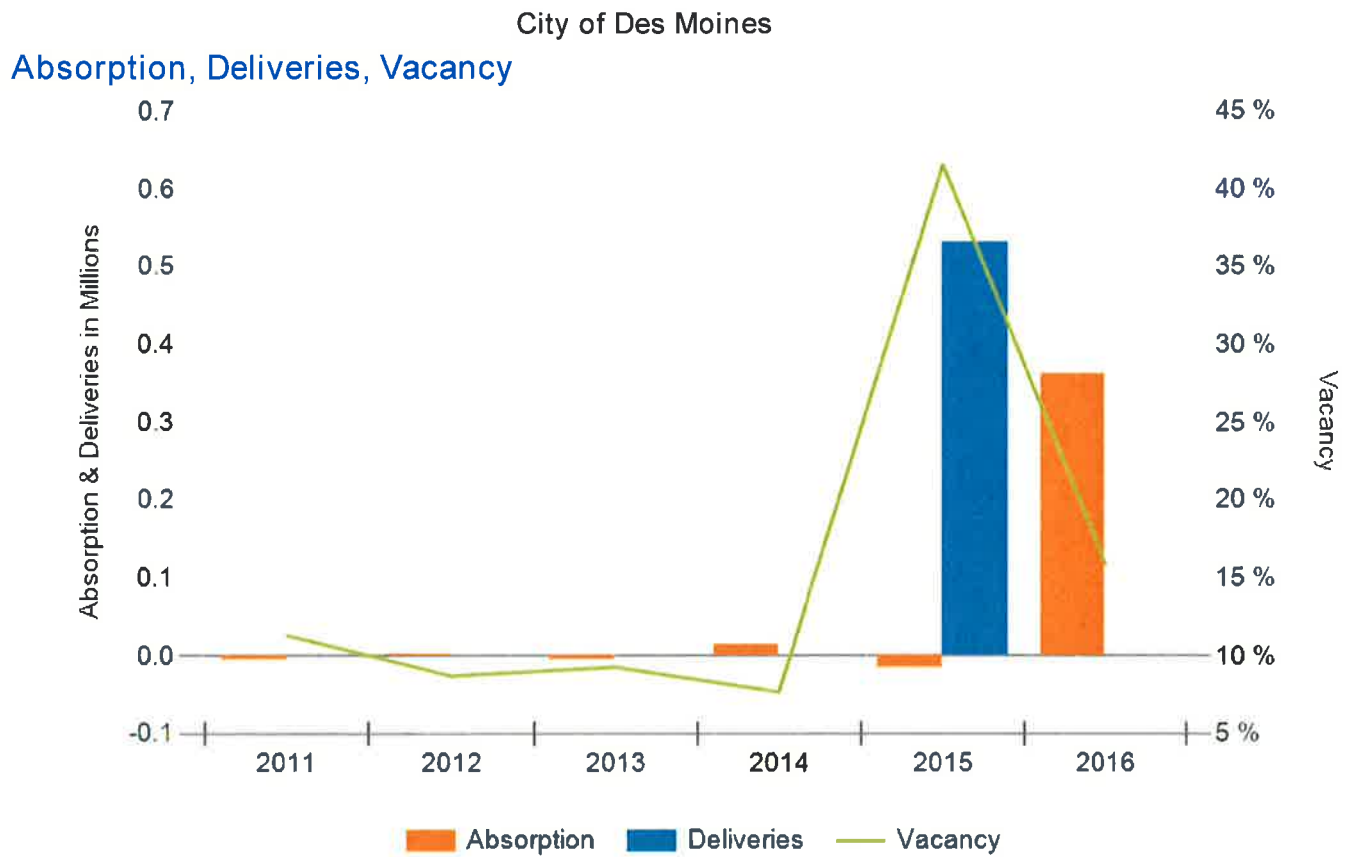


Asking Rent Per SF



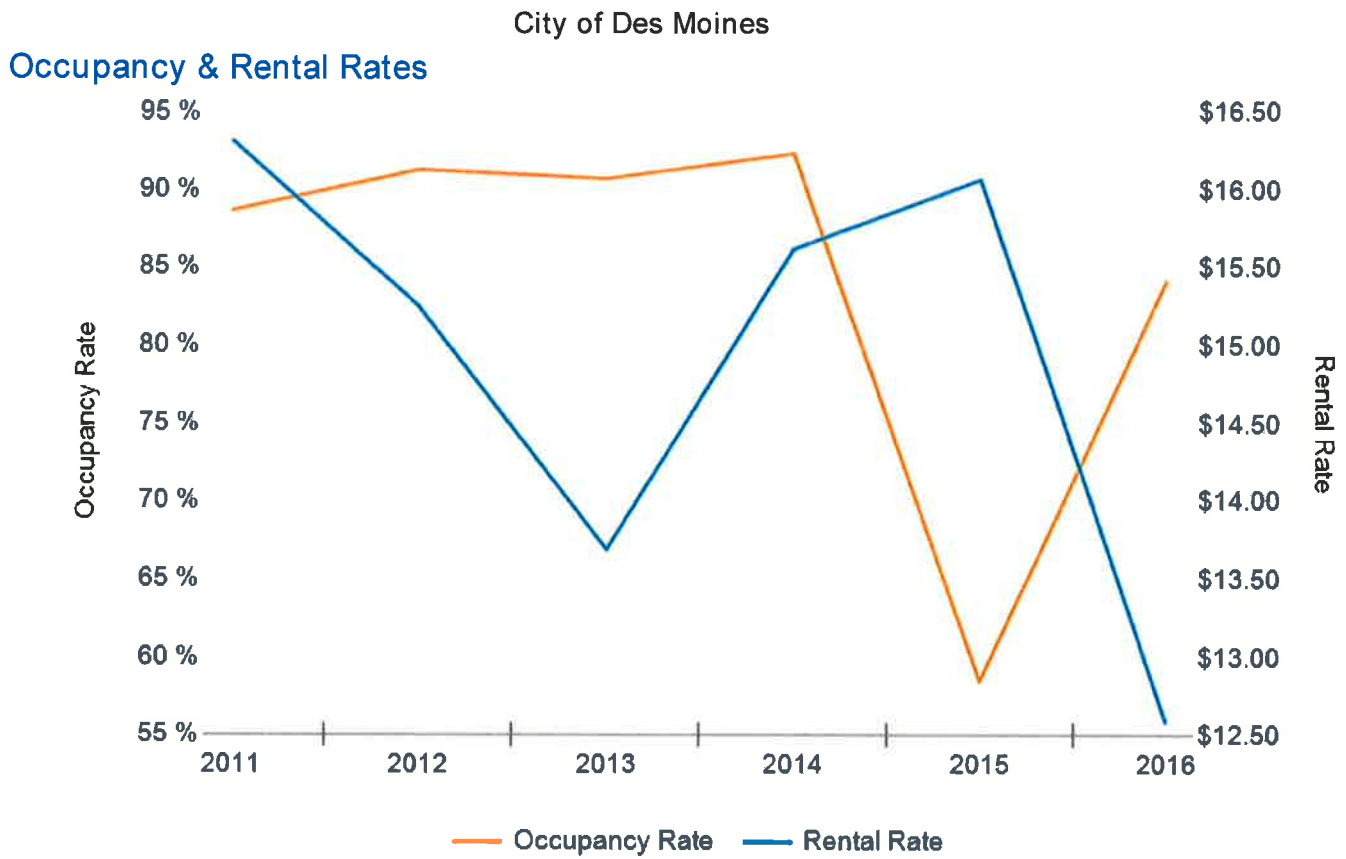
Net Absorption





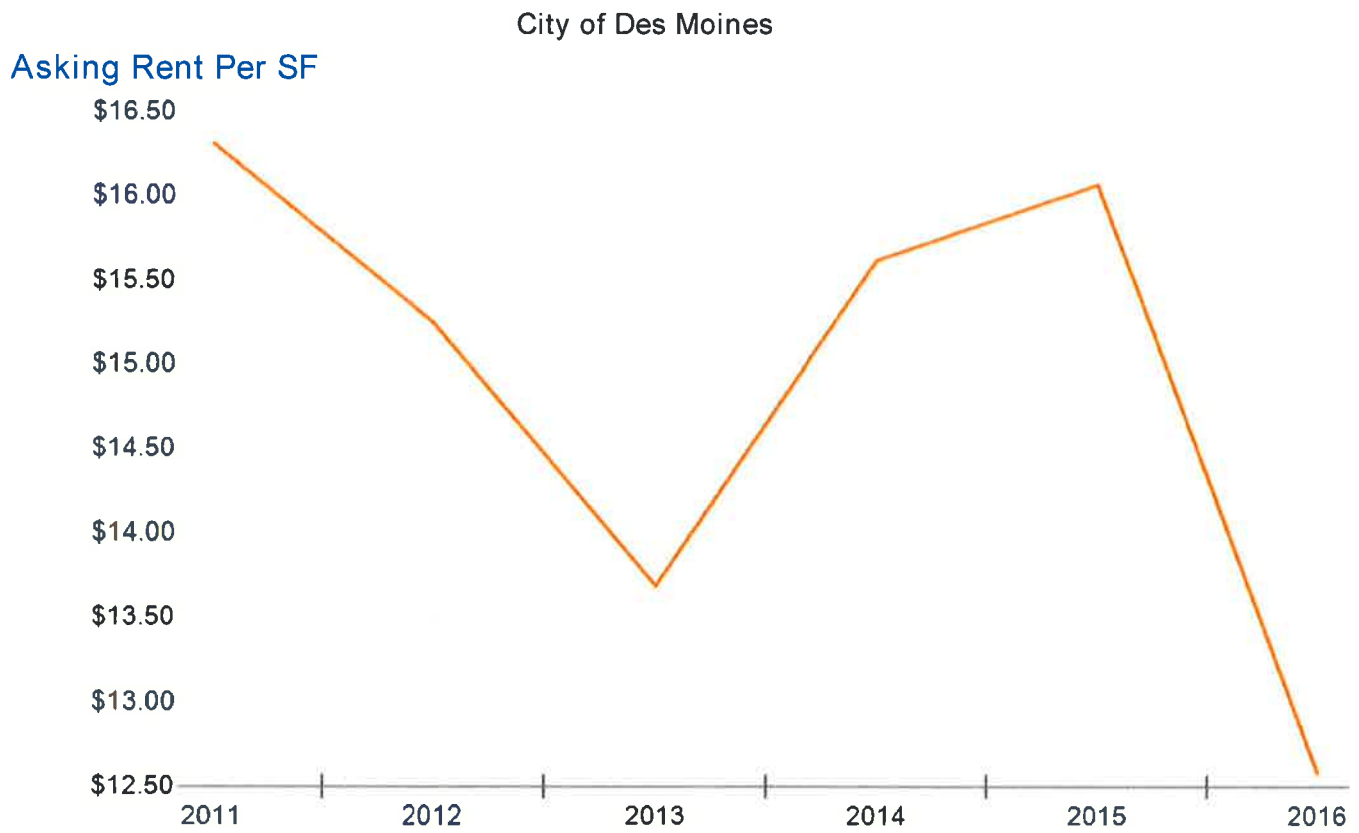
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8/24/2016



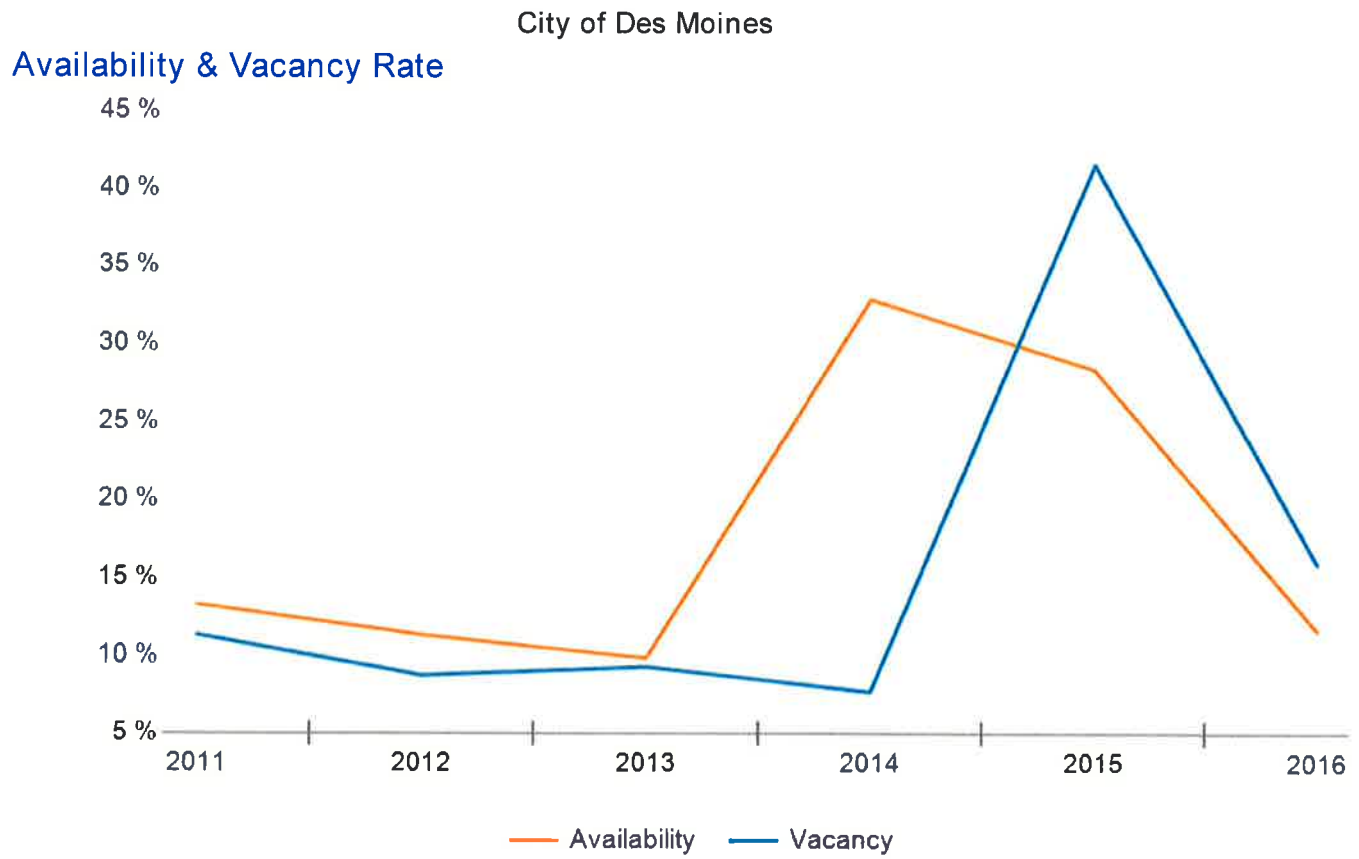
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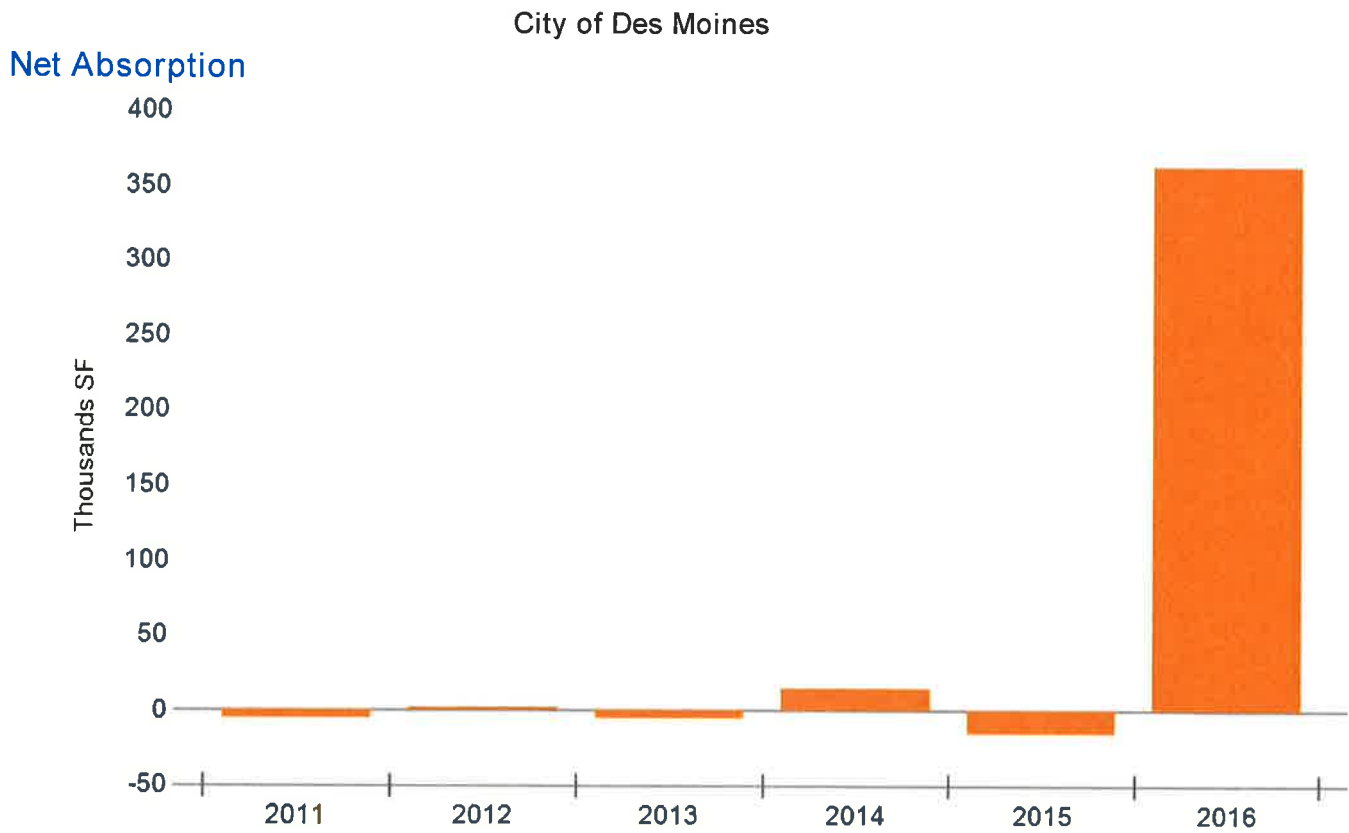
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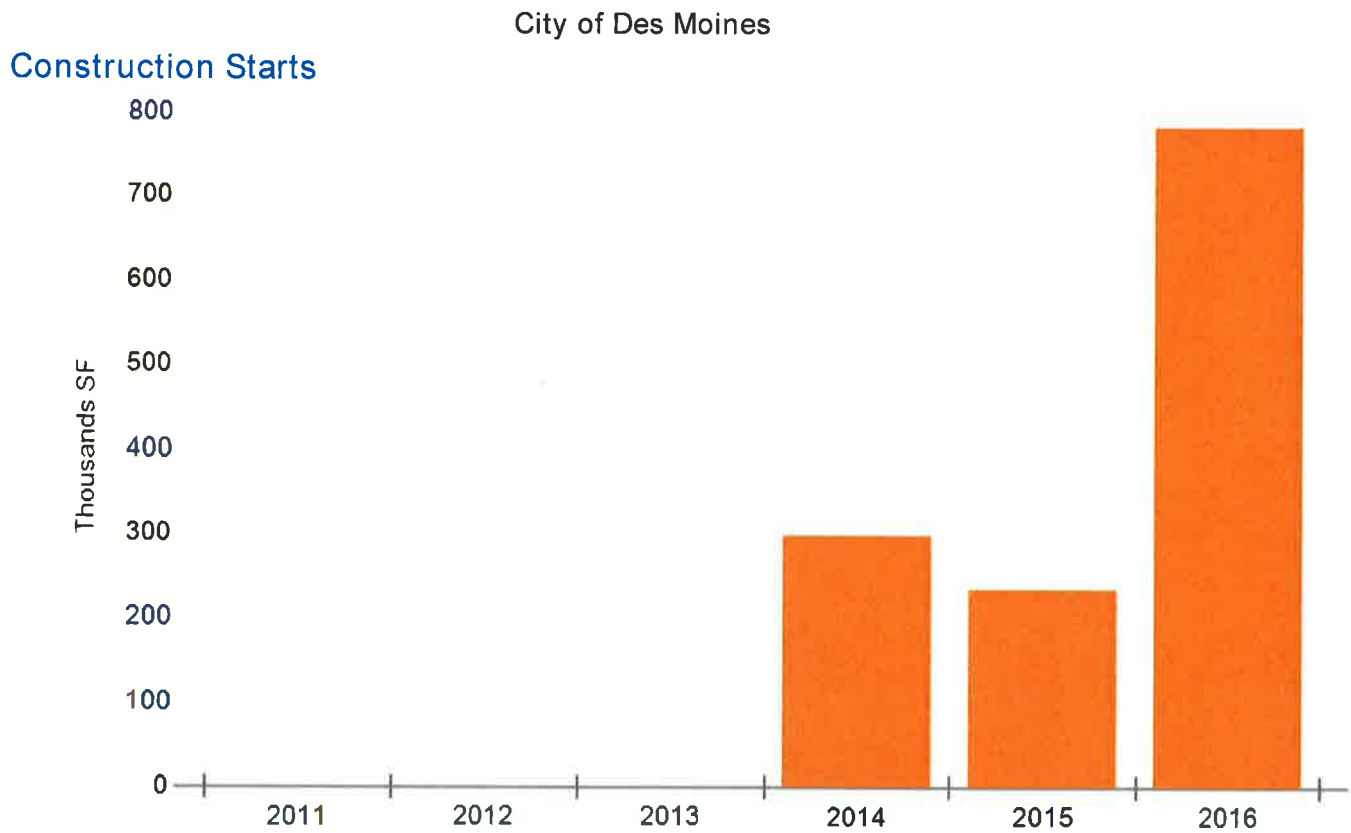
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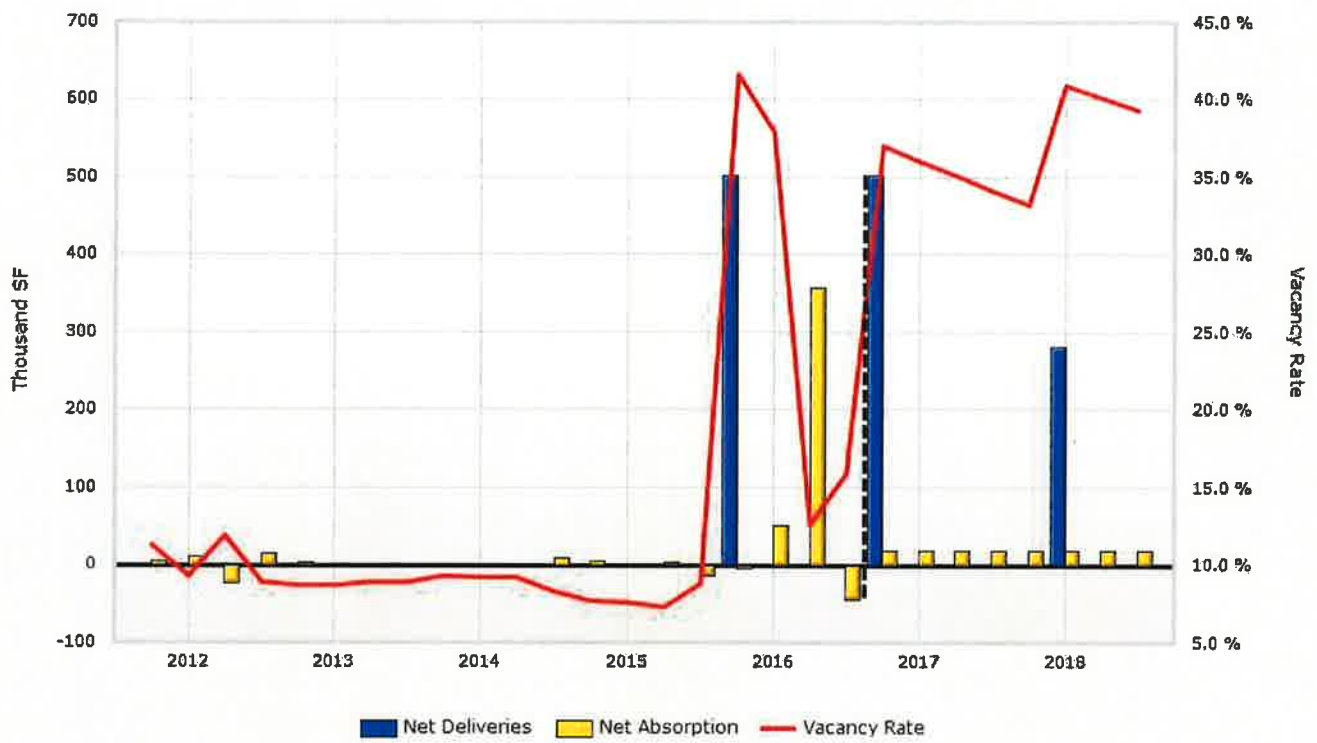
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9/24/2016



City of Des Moines

Forecast Report



Delivery Assumption: Known Construction Activity Absorption Assumption: 100% of Previous 5-Year Average

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8/24/2016

City of Des Moines

Forecast Report

Period	# of Deliveries	Rolling 2-yr Average Deliveries (SF)	Future Deliveries (SF)	Demolished (SF)	Net Deliveries (SF)	Rolling 2-yr Net Absorption (SF)	Net Absorption (SF)	RBA	Vacant Space (SF)	Vacancy Rate
2018 Q3	0	97,937	0	0	0	18,223	18,223	2,194,751	861,599	39.3%
2018 Q2	0	97,937	0	0	0	10,270	18,223	2,194,751	879,822	40.1%
2018 Q1	1	97,937	281,805	0	281,805	52,559	18,223	2,194,751	898,045	40.9%
2017 Q4	0	62,711	0	0	0	56,702	18,223	1,912,946	634,463	33.2%
2017 Q3	0	125,419	0	0	0	53,886	18,223	1,912,946	652,686	34.1%
2017 Q2	0	125,419	0	0	0	49,845	18,223	1,912,946	670,909	35.1%
2017 Q1	0	125,419	0	0	0	47,917	18,223	1,912,946	689,132	36%
2016 Q4	1	125,419	501,691	0	501,691	45,725	18,223	1,912,946	707,355	37%
Current Qtr	0	62,707	0	0	0	44,156	-45,403	1,411,255	223,887	15.9%
2016 Q2	0	62,707	0	0	0	50,836	356,538	1,411,255	178,484	12.6%
2016 Q1	0	62,707	0	0	0	6,269	51,369	1,411,255	535,022	37.9%
2015 Q4	3	62,707	501,659	0	501,659	-44	-4,311	1,411,255	586,391	41.6%
2015 Q3	0	0	0	0	0	58	-14,099	909,596	80,421	8.8%
2015 Q2	0	0	0	0	0	1,883	2,796	909,596	66,322	7.3%
2015 Q1	0	0	0	0	0	1,306	690	909,596	69,118	7.6%
2014 Q4	0	0	0	0	0	1,192	5,670	909,596	69,808	7.7%
2014 Q3	0	0	0	0	0	634	8,035	909,596	75,478	8.3%
2014 Q2	0	0	0	0	0	1,459	0	909,596	83,513	9.2%
2014 Q1	0	0	0	0	0	-1,541	871	909,596	83,513	9.2%
2013 Q4	0	0	0	0	0	-348	-3,500	909,596	84,384	9.3%
2013 Q3	0	0	0	0	0	726	500	909,596	80,884	8.9%
2013 Q2	0	0	0	0	0	392	-1,815	909,596	81,384	8.9%
2013 Q1	0	0	0	0	0	920	-223	909,596	79,569	8.7%
2012 Q4	0	0	0	0	0	-350	1,200	909,596	79,346	8.7%
2012 Q3	0	0	0	0	0	-542	14,640	909,596	80,546	8.9%
2012 Q2	0	1,506	0	0	0	-3,128	-24,004	924,636	110,226	11.9%
2012 Q1	0	1,506	0	0	0	-56	10,421	924,636	86,222	9.3%

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8/24/2016

City of Des Moines

Forecast Report

Period	# of Deliveries	Rolling 2-yr Average Deliveries (SF)	Future Deliveries (SF)	Demolished (SF)	Net Deliveries (SF)	Rolling 2-yr Net Absorption (SF)	Net Absorption (SF)	RBA	Vacant Space (SF)	Vacancy Rate
2011 Q4	0	1,506	0	0	0	-3,432	5,093	933,603	105,610	11.3%

Delivery Assumption: Known Construction Activity Absorption Assumption: 100% of Previous 5-Year Average

City of Des Moines
5/26/2016 to 8/24/2016

Building Address Building/Park Name Submarket City	RBA Typical Floor Building Type Class	SF Leased Sign Date Move Date	Rent Paid/yr Space Use/Type Mailing Suite Leased Floor #s	Leasing Company / Phone Leasing Company Brokers Tenant Rep / Phone Tenant Rep Brokers	Transaction Type
2231 S 208th St Des Moines Creek Business Park, Bldg 1B Seatac/Burien Ind Des Moines, WA 98198	109,679 SF 109,679 SF Industrial/Warehouse A	35,475 SF 05/26/2016 10/23/2016	- Industrial/New - 1	Kidder Mathews / (206) 248-7300 Thad Mallory, Travis Stanaway, Christopher Corr Kidder Mathews / (206) 248-7300 Doug Klein	Move In
2021 S 208th St Des Moines Creek Business Park, Bldg 1C Seatac/Burien Ind Des Moines, WA 98198	233,703 SF 233,703 SF Industrial/Warehouse A	86,600 SF 06/03/2016 10/31/2016	- Industrial/New - 1	Kidder Mathews / (206) 248-7300 Travis Stanaway, Thad Mallory, Christopher Corr	Move In
2031 S 208th St Des Moines Creek Business Park, Phase III Seatac/Burien Ind Des Moines, WA 98198	501,691 SF 501,691 SF Industrial/Warehouse A	149,600 SF 06/20/2016 12/17/2016	- Industrial/New - 1	Kidder Mathews / (206) 248-7300 Travis Stanaway, Thad Mallory, Christopher Corr	Move In
2031 S 208th St Des Moines Creek Business Park, Phase III Seatac/Burien Ind Des Moines, WA 98198	501,691 SF 501,691 SF Industrial/Warehouse A	229,229 SF 06/20/2016 12/17/2016	- Industrial/New - 1	Kidder Mathews / (206) 248-7300 Travis Stanaway, Thad Mallory, Christopher Corr	Move In

City of Des Moines
5/26/2016 to 8/24/2016

Building Address Building/Park Name Submarket City	RBA Typical Floor Building Type Class	SF Leased Sign Date Move Date	Rent Paid/yr Space Use/Type Mailing Suite Leased Floor #s	Leasing Company / Phone Leasing Company Brokers Tenant Rep / Phone Tenant Rep Brokers	Transaction Type
2341 S 208th St Des Moines Creek Business Park, Bldg 1A Seatac/Burien Ind Des Moines, WA 98198	158,277 SF 158,277 SF Industrial/Warehouse A	23,313 SF 06/21/2016 09/19/2016	- Industrial/New - 1	Kidder Mathews / (206) 248-7300 Travis Stanaway, Thad Mallory, Christopher Corr ----- -----	Move In

Consent Agenda Item 1

A G E N D A I T E M

BUSINESS OF THE CITY COUNCIL City of Des Moines, WA

SUBJECT: Resolution setting a Public Hearing regarding changes in permitted uses in the PR-C Zone north of South 216th Street

ATTACHMENTS:

1. Draft Resolution No. 16-184

FOR AGENDA OF: December 1, 2016

DEPT. OF ORIGIN: Planning, Building and Public Works

DATE SUBMITTED: November 21, 2016

CLEARANCES:

☒ Legal VB

☐ Finance N/A

☐ Marina N/A

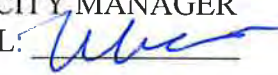
☐ Parks, Recreation & Senior Services N/A

☒ Planning, Building & Public Works DB

☐ Police N/A

☐ Courts N/A

APPROVED BY CITY MANAGER

FOR SUBMITTAL: 

Purpose and Recommendation

The purpose of this agenda item is for City Council to consider Draft Resolution No. 16-184 (Attachment 1), that will set a public hearing date to consider amending permitted uses in the PR-C Pacific Ridge Commercial Zone north of South 216th Street. The following motion will appear on the Consent Calendar:

Suggested Motion

Motion 1: "I move to adopt Draft Resolution No. 16-184 setting a public hearing on January 19, 2017, or as soon thereafter that the matter can be heard, to consider amending the permitted uses in the PR-C Pacific Ridge Commercial Zone north of South 216th Street".

Background

The City has been asked to consider a textual zoning code amendment that would expand the permitted commercial uses in the PR-C Zone north of South 216th Street. The reasons for the change, benefits of such a change and other considerations were discussed by a developer and the Finance and Economic Development Committee as a noticed agenda item at its November 10th meeting.

In summary, the proposal would be to expand the commercial uses permitted in the zone to add light industrial, distribution and associated professional offices similar to the type of business park development occurring in the Des Moines Creek Business Park. The intent would be to relax the requirement that the property fronting on SR 99 (International Boulevard) not be required to have retail frontage. Residential housing would still not be allowed.

The following considerations were discussed by the Committee and staff:

1. Market Viability. There is considerable market interest from a number of companies seeking this type of space for integrated corporate headquarters including a retail component, light manufacturing, distribution and other similar uses.
2. Timing. A developer has an option on one of the properties that would be affected, which expires in a few months. Without City action to modify the zoning code permitted uses, the option will be allowed to expire.
3. Considerations to the City. There are both direct and indirect financial benefits to the City if it makes these zoning code permitted use changes including increased City revenues, indirect revenues from increased employment and indirect commercial activity, capturing the opportunity benefits and the impact of immediate versus delayed revenue, accelerating economic development in Des Moines, all while not reasonable reducing the opportunity for other commercial development on SR 99, and avoiding risks of not acting now.

Discussion

Council asked that staff prepare a Draft Ordinance for their consideration that would amend the permitted uses of PR-C zoned property north of South 216th Street. The draft ordinance will provide for Business Park uses with further City Council review and approval.

It is anticipated that a threshold Determination of Nonsignificance will be issued in December 2016. The deadline for comment and appeals will lapse before the January 19, 2017 public hearing.

The City Council is required to set the public hearing date by resolution. A hearing on January 19, 2017 would allow for the required minimum 15 day hearing notice period and the SEPA comment and appeal periods.

Alternatives

The City Council may:

1. Adopt the proposed Draft Resolution.
2. Adopt the proposed Draft Resolution with a different hearing date.
3. Decline to adopt the Draft Resolution.

Financial Impact

N/A

Recommendation

Staff recommends Council set the public hearing for consideration of Draft Ordinance No. 16-184.

CITY ATTORNEY'S FIRST DRAFT 11/17/2016

DRAFT RESOLUTION NO. 16-184

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DES MOINES, WASHINGTON, fixing a time for a public hearing to consider Draft Ordinance No. 16-184, related to changes in permitted uses in the PR-C Pacific Ridge Commercial Zone north of South 216th Street, and amending Chapters 18.52 and 18.135 Des Moines Municipal Code.

WHEREAS, the City Council is considering amendments to the permitted uses in the PR-C Zone north of S. 216th St., and

WHEREAS, a public hearing is necessary to receive public comment regarding amendments to Title 18 DMMC, and

WHEREAS, a public hearing is required for adoption of an ordinance which amends portions of Title 18 DMMC commonly referred to as the Zoning Code; now therefore,

THE CITY COUNCIL OF THE CITY OF DES MOINES RESOLVES AS FOLLOWS:

The matter of Draft Ordinance 16-184, changes in permitted uses in the PR-C Pacific Ridge Commercial Zone north of South 216th Street and other amendments to Title 18, *Zoning Code*, is set for a public hearing before the City Council on Thursday, January 19, 2017, at 7:00 p.m., or as soon thereafter as the matter may be heard, in the City Council Chambers, 21630 11th Avenue South, Suite B, Des Moines, Washington.

ADOPTED BY the City Council of the City of Des Moines, Washington this _____ day of _____, 2016 and signed in authentication thereof this _____ day of _____, 2016.

M A Y O R

Resolution No. _____
Page 2 of 2

APPROVED AS TO FORM:

City Attorney

ATTEST:

City Clerk

A G E N D A I T E M

BUSINESS OF THE CITY COUNCIL City of Des Moines, WA

SUBJECT: Resolution setting a Public Hearing regarding screening requirements for roof top mechanical equipment on industrial buildings in the BP Zone

ATTACHMENTS:

1. Draft Resolution No. 16-185

FOR AGENDA OF: December 1, 2016

DEPT. OF ORIGIN: Planning, Building and Public Works

DATE SUBMITTED: November 16, 2016

CLEARANCES:

☒ Legal DSB

☐ Finance N/A

☐ Marina N/A

☐ Parks, Recreation & Senior Services N/A

☒ Planning, Building & Public Works DSB

☐ Police N/A

☐ Courts N/A

APPROVED BY CITY MANAGER

FOR SUBMITTAL: 

Purpose and Recommendation

The purpose of this agenda item is for City Council to consider Draft Resolution No. 16-185 (Attachment 1), that will set a public hearing date to consider amending the screening requirements for roof top mechanical equipment on industrial buildings within the BP zone. The following motion will appear on the Consent Calendar:

Suggested Motion

Motion 1: “I move to adopt Draft Resolution No. 16-185 setting a public hearing on January 19, 2017, or as soon thereafter that the matter can be heard, to consider amending the screening requirements for roof top mechanical equipment on industrial buildings within the BP zone”.

Background

Screening of roof top mechanical equipment is required in our zoning code, with regulations found in Sections 18.105.070, 18.105.080, and 18.235.100 DMMC. At the November 10, 2016 Council Meeting, representatives from Panattoni voiced comments and concerns as to the appropriateness of this requirement for industrial buildings within the BP zone.

Discussion

Council asked that staff prepare a Draft Ordinance for their consideration that would amend the screening requirements.

It is anticipated that a threshold Determination of Nonsignificance will be issued in December 2016. The deadline for comment and appeals will be before the January 19, 2017 public hearing.

The City Council is required to set the public hearing date by resolution. A hearing on January 19, 2017 would allow for the required minimum 15 day hearing notice period and the SEPA comment and appeal periods.

Alternatives

The City Council may:

1. Adopt the proposed Draft Resolution.
2. Adopt the proposed Draft Resolution with a different hearing date.
3. Decline to adopt the Draft Resolution.

Financial Impact

N/A

Recommendation

Staff recommends Council set the public hearing for consideration of Draft Ordinance No. 16-185.

CITY ATTORNEY'S FIRST DRAFT 11/16/2016**DRAFT RESOLUTION NO. 16-185**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DES MOINES, WASHINGTON, fixing a time for a public hearing to consider Draft Ordinance No. 16-185, related to screening requirements for roof top mechanical equipment on industrial buildings within the BP Zone, and amending DMMC 18.105.070, 18.105.080 and 18.235.

WHEREAS, the City Council is considering amendments to the screening requirements for roof top mechanical equipment on industrial buildings within the BP zone, and

WHEREAS, a public hearing is necessary to receive public comment regarding amendments to Title 18 DMMC, and

WHEREAS, a public hearing is required for adoption of an ordinance which amends portions of Title 18 DMMC commonly referred to as the Zoning Code; now therefore,

THE CITY COUNCIL OF THE CITY OF DES MOINES RESOLVES AS FOLLOWS:

The matter Draft Ordinance 16-185, amending the screening requirements for roof top mechanical equipment on industrial buildings within the BP zone and other amendments to Title 18, *Zoning Code*, is set for a public hearing before the City Council on Thursday, January 19, 2017, at 7:00 p.m., or as soon thereafter as the matter may be heard, in the City Council Chambers, 21630 11th Avenue South, Suite B, Des Moines, Washington.

ADOPTED BY the City Council of the City of Des Moines, Washington this _____ day of _____, 2016 and signed in authentication thereof this _____ day of _____, 2016.

M A Y O R

Resolution No. _____
Page 2 of 2

APPROVED AS TO FORM:

City Attorney

ATTEST:

City Clerk

Consent Agenda Item 3

A G E N D A I T E M

BUSINESS OF THE CITY COUNCIL City of Des Moines, WA

SUBJECT: Appointment of Claims for Damages
Acceptance Agents

ATTACHMENTS:

1. Draft Resolution No. 16-188

FOR AGENDA OF: December 1, 2016

DEPT. OF ORIGIN: Legal

DATE SUBMITTED: November 16, 2016

CLEARANCES:

- ☒ Legal YG
- ☐ Finance N/A
- ☐ Marina 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: [Signature]

Purpose

Draft Resolution No. 16-188 updates the appointed Acceptance Agents to receive Claims for Damages filed with the City. The following will appear on the consent calendar of December 1, 2016.

Suggested Motion

Motion: "I move to adopt Draft Resolution No. 16-188 updating the appointed Acceptance Agents for Claims for Damages filed against the City pursuant to chapter 4.96 RCW and superseding Resolution No. 1222."

Background

RCW 4.96.020 sets forth the procedures for accepting Claims for Damages arising out of the tortious conduct of local government entities and their agents. RCW 4.96.020(2) requires governing bodies of local governmental entities to identify an Acceptance Agent and the address where the Agent may be reached during normal business hours.

Discussion

Resolution No. 1222 appointed our City Clerk, Paralegal, and former Executive Assistant as Acceptance Agents for Claims for Damages. Since the Executive Assistant (Administrative) position is vacant, the

City needs to make a new appointment. Draft Resolution No. 16-188 appoints the current City Clerk as the Acceptance Agent for the City, along with two alternates to act as Interim Acceptance Agents when the Acceptance Agent is not available; and directs the City Clerk to record a certified copy of this Resolution with the King County Recorder's Office.

Alternatives

None. This is a requirement of chapter 4.96 RCW.

Financial Impact

None.

Recommendation

Administration and the Legal Department recommend approval of this Resolution.

CITY ATTORNEY'S FIRST DRAFT 11/15/2016

DRAFT RESOLUTION NO. 16-188

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DES MOINES, WASHINGTON, relating to Claims for Damages, appointing Acceptance Agents for Claim for Damages filed against the City pursuant to chapter 4.96 RCW, and superseding Resolution No. 1222.

WHEREAS, chapter 4.96 RCW sets forth the procedures for presenting Claims for Damages arising out of the tortious conduct of local governmental entities, including cities, or the tortious conduct of their past or present officers, employees or volunteers while performing or in good faith purporting to perform their official duties, and

WHEREAS, RCW 4.96.020 requires local governmental entities to appoint an agent to receive any Claims for Damages made under chapter 4.96 RCW, and

WHEREAS, Des Moines Resolution No. 1222, passed by the City Council on March 28, 2013, appointing Acceptance Agents for Claims for Damages, requires updating; now therefore,

THE CITY COUNCIL OF THE CITY OF DES MOINES RESOLVES AS FOLLOWS:

Sec. 1. In accordance with RCW 4.96.020, the City Council hereby appoints:

Bonnie Wilkins, CMC, City Clerk
21630 11th Ave So., Suite A
Des Moines, WA 98198

and in the absence of the City Clerk, the following as alternates:

Ellie Hooman
Executive Assistant, Police
21900 11th Ave So.
Des Moines, WA 98198

Vicki Sheckler
Paralegal
21630 11th Ave So., Suite C
Des Moines, WA 98198

to act as the Agents to receive any Claim For Damages made under chapter 4.96 RCW.

Sec. 2. In accordance with RCW 4.96.020, the City Council hereby adopts the following procedures for presenting Claims for Damages made under chapter 4.96 RCW:

Resolution No. _____
 Page 2 of 3

(1) **Recording Information with Auditor.** The identity of the Agent(s) and the address where the Agent(s) may be reached during normal business hours of the City shall be recorded by the City with the auditor of King County (the "Auditor").

(2) **Procedure for Presenting Claims.** All Claims for Damages made under chapter 4.07 RCW shall be presented personally to the Agent(s) at the address and within the business hours recorded with the Auditor, from 8:00 a.m. to 4:30 p.m., Monday through Friday, excluding holidays, and shall be presented within the applicable period of limitations in which such an action must commenced.

(3) **Content of Claim.** All Claims for Damages arising out of tortious conduct shall locate and describe the conduct and circumstances which brought about the injury or damage, describe the injury or damage, state the time and place the injury or damage occurred, state the names of all persons involved, if known, and shall contain the amount of damage claimed, together with a statement of the actual residence of the claimant at the time of presenting and filing the claim for a period of six (6) months immediately prior to the time the claim arose.

(4) **Notice Period.** No action shall be commenced against the City for damages arising out of tortious conduct until sixty (60) days have elapsed after the Claim has first been presented and filed in accordance with chapter 4.96 RCW and this Resolution.

Sec. 3. Resolution No. 1222 is superseded by this Resolution.

ADOPTED BY the City Council of the City of Des Moines, Washington this ____ day of _____, 2016 and signed in authentication thereof this ____ day of _____, 2016.

 M A Y O R

APPROVED AS TO FORM:

 City Attorney

Resolution No. _____
Page 3 of 3

ATTEST:

City Clerk

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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: Resolution setting a Public Hearing related to Low Impact Development

ATTACHMENTS:

1. Draft Resolution No. 16-173

FOR AGENDA OF: December 1, 2016

DEPT. OF ORIGIN: Planning, Building and Public Works

DATE SUBMITTED: November 21, 2016

CLEARANCES:

☒ Legal VG

☐ Finance N/A

☐ Marina N/A

☐ Parks, Recreation & Senior Services N/A

☒ Planning, Building & Public Works DJB

☐ Police N/A

☐ Courts N/A

APPROVED BY CITY MANAGER

FOR SUBMITTAL: 

Purpose and Recommendation

The purpose of this agenda item is for City Council to consider Draft Resolution No. 16-173 (Attachment 1), that will set a public hearing date related to low impact development and amending DMMC 11.08.060, 11.08.070, 11.12.010, and 11.12.020; DMMC 12.01.050, 12.05.250, 12.15.050, and 12.20.080; DMMC 14.05.120, 14.20.030, and 14.20.080; DMMC 16.05.310 and 16.10.090; DMMC 17.35.130, 17.35.130 and 17.35.190; and DMMC 18.01.050 and 18.195.200. The following motion will appear on the Consent Calendar:

Suggested Motion

Motion 1: “I move to adopt Draft Resolution No. 16-173 setting a public hearing on January 5, 2017, or as soon thereafter that the matter can be heard, to consider amending the DMMC related to Low Impact Development”.

Background

The Phase II 2013-2018 NPDES (National Pollution Discharge Elimination System) municipal stormwater permit requires all permittees to “review, revise and make effective their local development-related codes, rules, standards, or other enforceable documents to incorporate and require Low Impact Development (LID) principles and LID Best Management Practices (BMPs)” no later than December 31, 2016. The intent of the review “shall be to make LID the preferred and commonly-used approach to site development.”

Pursuant to the permit, the City’s municipal code has been reviewed and proposed revisions prepared that supports minimization of impervious surfaces, retention of native vegetation, and reduction of stormwater runoff in all types of development situations. The code sections (DMMC Titles 11, 12, 14, 16, 17 and 18) were included in the review with the revisions focused on removing any barriers to implementing LID.

Discussion

While the proposed public hearing date is scheduled after the December 31, 2016 permit deadline, staff will be alerting Ecology of the missed deadline and will be providing a formal non-compliance notice as required by the permit. This notice requires proposed actions and a schedule for meeting this permit requirement.

A SEPA threshold Determination of Nonsignificance was issued on November 14, 2016. The deadline for comment and appeals will lapse before the January 5, 2017 public hearing.

The City Council is required to set the public hearing date by resolution. A hearing on January 5, 2017 would allow for the required minimum 15 day hearing notice period and the SEPA comment and appeal periods.

Alternatives

The City Council may:

1. Adopt the proposed Draft Resolution.
2. Adopt the proposed Draft Resolution with a different hearing date.
3. Decline to adopt the Draft Resolution.

Financial Impact

N/A

Recommendation

Staff recommends Council set the public hearing for consideration of Draft Ordinance No. 16-173.

CITY ATTORNEY'S FIRST DRAFT 11/21/2016**DRAFT RESOLUTION NO. 16-173**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DES MOINES, WASHINGTON, fixing a time for a public hearing to consider Draft Ordinance No. 16-173, related to low impact development and amending DMMC 11.08.060, 11.08.070, 11.12.010, and 11.12.020; DMMC 12.01.050, 12.05.250, 12.15.050, and 12.20.080; DMMC 14.05.120, 14.20.030, and 14.20.080; DMMC 16.05.310 and 16.10.090; DMMC 17.35.130, 17.35.130 and 17.35.190; and DMMC 18.01.050 and 18.195.200.

WHEREAS, the Federal Clean Water Act sets a national goal to "restore and maintain the chemical, physical, and biological integrity of the nation's water" and prohibits the discharge of pollutants from any point source, and

WHEREAS, the U.S. Environmental Protection Agency delegates administration of the National Pollution Discharge Elimination System (NPDES) Permit to the state Department of Ecology under the federal Clean Water Act, and

WHEREAS, the Washington Department of Ecology, as authorized by chapter 90.48 RCW (Washington State Pollution Control Act), also takes action through the Phase II Permit to control impacts of stormwater discharges to all waters of Washington State, including ground waters, unless the discharges are authorized by another regulatory program, and

WHEREAS, the Phase II Permit requires permittees to "review, revise and make effective their local development-related codes, rules, standards, or other enforceable documents to incorporate and require Low Impact Development (LID) principles and LID BMPs" no later than December 31, 2016, and

WHEREAS, the intent of that review "shall be to make LID the preferred and commonly-used approach to site development", and

WHEREAS, the City of Des Moines has adopted the 2016 King County Surface Water Design Manual that is consistent with the Department of Ecology's 2012 Stormwater Management Manual for Western Washington, as amended in December 2014, and

WHEREAS, a public hearing is required for adoption of an ordinance which amends portions of Title 18 DMMC commonly referred to as the Zoning Code; now therefore,

Resolution No. _____

Page 2 of 2

THE CITY COUNCIL OF THE CITY OF DES MOINES RESOLVES AS FOLLOWS:

The matter of Draft Ordinance 16-173, related to low impact development and amending DMMC 11.08.060, 11.08.070, 11.12.010, and 11.12.020; DMMC 12.01.050, 12.05.250, 12.15.050, and 12.20.080; DMMC 14.05.120, 14.20.030, and 14.20.080; DMMC 16.05.310 and 16.10.090; DMMC 17.35.130, 17.35.130 and 17.35.190; and DMMC 18.01.050 and 18.195.200, is set for a public hearing before the City Council on Thursday, January 5, 2017, at 7:00 p.m., or as soon thereafter as the matter may be heard, in the City Council Chambers, 21630 11th Avenue South, Suite B, Des Moines, Washington.

ADOPTED BY the City Council of the City of Des Moines, Washington this _____ day of _____, 2016 and signed in authentication thereof this _____ day of _____, 2016.

M A Y O R

APPROVED AS TO FORM:

City Attorney

ATTEST:

City Clerk

Public Hearing Item 1

A G E N D A I T E M

BUSINESS OF THE CITY COUNCIL City of Des Moines, WA

SUBJECT: Public Hearing to consider Draft Ordinance 16-181 clarifying City Council intent regarding ground floor commercial space by amending Footnote 58 of DMMC 18.52.010B, and adding a definition to DMMC 18.01.050.

ATTACHMENTS:

1. Draft Ordinance No. 16-181
2. Ordinance 1661 – Interim Zoning Controls
3. Staff proposed Amendment
4. Letter with comments from Brian Sullivan

FOR AGENDA OF: December 1, 2016

DEPT. OF ORIGIN: Planning, Building and Public Works

DATE SUBMITTED: November 22, 2016

CLEARANCES:

- ☒ Legal 76
- ☐ Finance N/A
- ☐ Marina N/A
- ☐ Parks, Recreation & Senior Services N/A
- ☒ Planning, Building & Public Works DJB
- ☐ Police N/A
- ☐ Courts N/A

APPROVED BY CITY MANAGER
FOR SUBMITTAL: 

Purpose and Recommendation

The purpose of this Agenda Item is for the City Council to hold a public hearing for the consideration of Draft Ordinance No. 16-181 (Attachment 1) that would clarify City Council intent regarding ground floor commercial space by amending footnote 58 the Des Moines Municipal Code Table 18.52.010B, and add a definition to DMMC 18.01.050, making the interim zoning controls enacted by Ordinance 1661 on October 13, 2016 permanent.

Suggested Motion

Motion 1: “I move to suspend Rule 26(a) in order to enact Draft Ordinance No 16-181 on first reading.”

and,

Motion 2a: “I move to enact Draft Ordinance No. 16-181 clarifying City Council intent regarding ground floor commercial space by amending Footnote 58 of DMMC 18.52.010B, and adding a definition to DMMC 18.01.050, to make the interim zoning controls enacted by Ordinance 1661 permanent.”

or,

Motion 2b: “I move to enact Draft Ordinance No. 16-181 clarifying City Council intent regarding ground floor commercial space by amending Footnote 58 of DMMC 18.52.010B, and adding a definition to DMMC 18.01.050, to make the interim zoning controls enacted by Ordinance 1661 permanent, and amend Draft Ordinance No. 16-181 to include the staff recommended amendment proposed in Attachment 3.”

Background

On July 7, 2016, the City Council enacted Ordinance 1656, which made a number of changes to the development regulations for the Woodmont Commercial Zone, south of South 268th Street. One of those changes included adding “Mixed Use” projects as a permitted use, with certain conditions. One of those conditions dealt with the proportion of commercial space in a mixed use project. The Council’s intent was that at least 60 percent of the entire ground floor be occupied for commercial uses.

As authorized by RCW 35A.63.220, on October 13, 2016, the Council enacted Ordinance 1661 (Attachment 2) establishing interim zoning controls to confirm and clarify their intent for the commercial proportion of Mixed Use Projects, as some confusion surfaced related to other definitions within the DMMC. Ordinance 1661 also set a public Hearing date for December 1, 2016 in accordance with state law.

Discussion

The purpose of Draft Ordinance 16-181 is for the Council to take action on the interim zoning controls established by Ordinance 1661, to permanently confirm and clarify Council’s intent for the proportion of commercial space in mixed use projects in the W-C and T-C zones.

Based on discussions with Mr. Lai, who has an option to purchase the Valley Cities Property in the W-C Zone, and his design consultant Brian Sullivan, staff is recommending that some flexibility be added to the requirements for mixed use developments, including but not limited to the allocation of the commercial space requirement throughout a development site. For example, while the amount of commercial space could still be calculated based on the gross floor area of all of the buildings on a particular site, with some added flexibility a developer could have the choice to allocate the commercial space throughout the development site in a variety of ways; rather than limiting the use of each and every building on the development site to require commercial use on the ground floor. In order for a developer to accomplish this, they would more than likely have to accommodate commercial uses on additional floors. This might be accomplished by a hotel or an office building for example. Staff is recommending that the Council amend Draft Ordinance 16-181 to include the proposed amendment provided in Attachment 3. This amendment will allow for flexibility with respect to the mixed use limitations, provided that if a developer were to choose this option, the amendment as proposed would require the developer to process this under

a Planned Unit Development (PUD) with an associated Development Agreement, both of which would have to be approved by the City Council.

Staff has also discussed a number of other potential code revisions requested by Mr. Lai and his design consultant Brian Sullivan. These potential code revisions are included in a letter from Mr. Sullivan dated November 7, 2016 and included as Attachment 4. Given that this public hearing is specifically related to the zoning controls enacted by Ordinance 1661, it would not be appropriate to modify other sections and chapters of the zoning code with this ordinance. At the Public Hearing, staff will be seeking direction from the Council as to which, if any, of these other requested revisions to the zoning code the Council would like staff to bring forward in a subsequent Ordinance.

Alternatives

The City Council may:

1. Enact the proposed Draft Ordinance 16-181 as written.
2. Enact Draft Ordinance 16-181 with amendments.
3. Pass enactment of Draft Ordinance No. 16-181 to a second reading.
4. Repeal Ordinance 1661, removing the interim zoning control.
5. Decline to enact Draft Ordinance 16-181. Under this alternative, the interim zoning control would remain in effect until April 13, 2017, at which time the interim zoning controls would expire.

Financial Impact

N/A

Recommendation or Conclusion

Administration recommends enactment of Draft Ordinance 16-181, with the proposed amendment included as Attachment 3 (Motion 2b).

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CITY ATTORNEY'S FIRST DRAFT 11/21/2016

DRAFT ORDINANCE NO. 16-181

AN ORDINANCE OF THE CITY OF DES MOINES, WASHINGTON relating to zoning, confirming zoning controls previously enacted as interim, amending Footnote 58 of DMMC 18.52.010B, and adding a definition to DMMC 18.01.050, regulating the proportion of required commercial uses within Mixed Use Developments.

WHEREAS, on July 7, 2016 the City Council enacted Ordinance 1656, making modifications related to the W-C Woodmont Commercial Zone, and

WHEREAS, Mixed Use developments were added as an allowed use within certain portions of the W-C Woodmont Commercial Zone with, among other things, certain conditions for the proportion of required commercial uses, and

WHEREAS, the City Council's intent was for a minimum of 60 percent of the ground floor to be occupied by commercial uses, and

WHEREAS, there is a potential conflict within the DMMC that may be contrary to the City Council's intent for regulating the proportion of required commercial uses within Mixed Use Developments, and

WHEREAS, RCW 35A.63.220 and RCW 36.70A.390 authorize adoption of interim zoning controls with certain limitations, including the requirement to hold a public hearing on the adopted interim zoning controls within 60 days of its adoption, and the adoption of findings of facts, and

WHEREAS, in accordance with RCW 35A.63.220, interim zoning controls may be effective for no longer than six months, but may be effective for up to a year if a work plan is developed for related studies providing for such a longer period, and

WHEREAS, on October 13, 2016 the City Council enacted Ordinance 1661 establishing interim zoning controls, and

WHEREAS, Ordinance 1661 set a public hearing date for December 1, 2016 in accordance with state law, and

Draft Ordinance No. 16-181
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WHEREAS, the Planning, Building and Public Works Director acting as the SEPA responsible official reviewed this proposed non-project action and determined that the proposed textual code amendments are within the scope of the existing environmental documents and fulfilled the SEPA requirements established by chapter 197-11 WAC and DMMC 16.05.04 pursuant to WAC 197-11-600 and DMMC 16.05.280, and

WHEREAS, the textual code amendments proposed in this Draft Ordinance were provided to the Department of Commerce as required by RCW 36.70A.106, and

WHEREAS, notice of the public hearing was issued on November 15, 2016 in accordance with the DMMC, and

WHEREAS, a public hearing was held on December 1, 2016 where all persons wishing to be heard were heard, and

WHEREAS, the City Council finds that the amendments contained in this Ordinance are appropriate and necessary; now therefore,

THE CITY COUNCIL OF THE CITY OF DES MOINES ORDAINS AS FOLLOWS:

Sec. 1. Findings. RCW 35A.63.220 and RCW 36.70A.390 authorize adoption of interim zoning measures with certain limitations. In compliance with the requirements of these statutes and applicable case law authority, the City Council adopts as findings the pronouncements contained in the above recital provisions.

Sec. 2. Footnote 58 of DMMC 18.52.010B and section 133 of Ordinance No. 1591 as amended by section 12 of Ordinance No. 1601 as amended by section 8 of Ordinance No. 1618-A as amended by section 2 of Ordinance No. 1644 as amended by section 1 of Ordinance No. 1645 as amended by section 8 of Ordinance No. 1655 as amended by section 4 of Ordinance No. 1656 as temporarily amended by Ordinance 1661 is amended to read as follows:

58. Mixed Use. This regulation applies to all parts of Table 18.52.010B that have a [58].

Draft Ordinance No. 16-181
Page 3 of 5

Mixed use development shall conform to the following limitations and standards in the T-C and W-C Zones:

(a) Mixed use structures within the W-C Zone shall only be permitted south of South 268th Street.

(b) Mixed use structures shall contain area for retail trade or personal and business services at street level as follows:

(i) Pedestrian access from the public sidewalk to the retail trade or personal and business services shall be provided;

(ii) A minimum of 60 percent of the ~~street level floor area gross floor area~~ located at the street level shall be occupied by retail trade or personal and business services;

(iii) A minimum of 75 percent of the street level building frontage adjacent to public right(s)-of-way shall contain floor area for retail trade or personal and business services uses; and

(iv) Building space allocated for retail trade or personal and business service uses at the street level shall have a minimum gross interior depth dimension of 55 feet measured perpendicular to the property line abutting the public street(s) serving the site.

(c) The City Manager or the City Manager's designee is authorized to consider and approve up to a 20-percent reduction of the bulk requirements specified in subsection (58)(b) of this section when a development proposal incorporates on-site parking substantially at street floor level for retail trade or personal and business service uses and the City Manager or designee determines that the proposed reduction(s) does not compromise, interrupt, or interfere with the desired functionality of the building or the continuity of City pedestrian-

Draft Ordinance No. 16-181

Page 4 of 5

oriented design goals in the general area and pedestrian access to the site from the public sidewalk or right-of-way.

(d) Mixed use developments shall comply with all the requirements of chapter 18.155 DMMC, except for private recreational requirements established by DMMC 18.155.050(2).

(e) Mixed use projects in the W-C Zone shall include a Crime Prevention Through Environmental Design ("CPTED") review as part of the design review process.

(f) A detached structure that contains residential uses and does not meet the requirements for mixed use structures is prohibited.

Sec. 3. DMMC 18.01.050 and section 5 of Ordinance No. 1591 as amended by section 1 of Ordinance No. 1628 as amended by section 1 of Ordinance No. 1655 as temporarily amended by section 3 of Ordinance 1661 are amended to add the following definition:

"Gross floor area" means the area included within the surrounding exterior walls of a structure or building expressed in square feet and fractions thereof. The gross floor area of structure or building not provided with surrounding exterior walls shall be the area under each outer edge of the roof.

NEW SECTION. Sec. 4. Severability - Construction.

(1) If a section, subsection, paragraph, sentence, clause, or phrase of this Ordinance is declared unconstitutional or invalid for any reason by any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance.

Draft Ordinance No. 16-181

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(2) If the provisions of this Ordinance are found to be inconsistent with other provisions of the Des Moines Municipal Code, this Ordinance is deemed to control.

NEW SECTION. **Sec. 5. Effective date.** This Ordinance shall take effect and be in full force thirty (30) days after its final passage by the Des Moines City Council in accordance with law.

PASSED BY the City Council of the City of Des Moines this ____ day of _____ December, 2016 and signed in authentication thereof this ____ day of _____ December, 2016.

M A Y O R

APPROVED AS TO FORM:

City Attorney

ATTEST:

City Clerk

Published: _____, 2016

Effective Date: _____

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ORDINANCE NO. 1661

AN ORDINANCE OF THE CITY OF DES MOINES, WASHINGTON relating to zoning, enacting an interim zoning Ordinance relating to land use, amending Footnote 58 of DMMC 18.52.010B, adding an interim definition to DMMC 18.01.050, and declaring an emergency necessitating immediate adoption of interim control regulations to ensure the City Council's intent for regulating the proportion of required commercial uses within Mixed Use Developments.

WHEREAS, on July 7, 2016 the City Council enacted Ordinance 1656, making modifications related to the W-C Woodmont Commercial Zone, and

WHEREAS, Mixed Use developments were added as an allowed use within certain portions of the W-C Woodmont Commercial Zone with, among other things, certain conditions for the proportion of required commercial uses, and

WHEREAS, the City Council's intent was for a minimum of 60 percent of the ground floor to be occupied by commercial uses, and

WHEREAS, there is a potential conflict within the DMMC that may be contrary to the City Council's intent for regulating the proportion of required commercial uses within Mixed Use Developments, and

WHEREAS, RCW 35A.63.220 and RCW 36.70A.390 authorize adoption of interim zoning controls with certain limitations, including the requirement to hold a public hearing on the adopted interim zoning controls within 60 days of its adoption, and the adoption of findings of facts, and

WHEREAS, in accordance with RCW 35A.63.220, interim zoning controls may be effective for no longer than six months, but may be effective for up to a year if a work plan is developed for related studies providing for such a longer period, and

WHEREAS, the City Council finds that the amendments contained in this Ordinance are appropriate and necessary for the preservation of the public health and welfare, and to clarify and confirm the City Council's intent for regulating the proportion of required commercial uses within Mixed Use Developments within the W-C Woodmont Commercial and T-C Transit Community Zones, and

Ordinance No. 1661
Page 2 of 5

WHEREAS, the City Council further finds that passage of this Ordinance constitutes an emergency; now therefore,

THE CITY COUNCIL OF THE CITY OF DES MOINES ORDAINS AS FOLLOWS:

Sec. 1. Findings. RCW 35A.63.220 and RCW 36.70A.390 authorize adoption of interim zoning measures with certain limitations. In compliance with the requirements of these statutes and applicable case law authority, the City Council adopts as findings the pronouncements contained in the above recital provisions.

Sec. 2. Interim regulation adopted. Footnote 58 of DMMC 18.52.010B and section 133 of Ordinance No. 1591 as amended by section 12 of Ordinance No. 1601 as amended by section 8 of Ordinance No. 1618-A as amended by section 2 of Ordinance No. 1644 as amended by section 1 of Ordinance No. 1645 as amended by section 8 of Ordinance No. 1655 as amended by section 4 of Ordinance No. 1656 is amended to read as follows:

58. Mixed Use. This regulation applies to all parts of Table 18.52.010B that have a [58].

Mixed use development shall conform to the following limitations and standards in the T-C and W-C Zones:

(a) Mixed use structures within the W-C Zone shall only be permitted south of South 268th Street.

(b) Mixed use structures shall contain area for retail trade or personal and business services at street level as follows:

(i) Pedestrian access from the public sidewalk to the retail trade or personal and business services shall be provided;

(ii) A minimum of 60 percent of the gross floor area located at the street level shall be occupied by retail trade or personal and business services;

Ordinance No. 1661
Page 3 of 5

(iii) A minimum of 75 percent of the street level building frontage adjacent to public right(s)-of-way shall contain floor area for retail trade or personal and business services uses; and

(iv) Building space allocated for retail trade or personal and business service uses at the street level shall have a minimum gross interior depth dimension of 55 feet measured perpendicular to the property line abutting the public street(s) serving the site.

(c) The City Manager or the City Manager's designee is authorized to consider and approve up to a 20-percent reduction of the bulk requirements specified in subsection (58)(b) of this section when a development proposal incorporates on-site parking substantially at street floor level for retail trade or personal and business service uses and the City Manager or designee determines that the proposed reduction(s) does not compromise, interrupt, or interfere with the desired functionality of the building or the continuity of City pedestrian-oriented design goals in the general area and pedestrian access to the site from the public sidewalk or right-of-way.

(d) Mixed use developments shall comply with all the requirements of chapter 18.155 DMMC, except for private recreational requirements established by DMMC 18.155.050(2).

(e) Mixed use projects in the W-C Zone shall include a Crime Prevention Through Environmental Design ("CPTED") review as part of the design review process.

(f) A detached structure that contains residential uses and does not meet the requirements for mixed use structures is prohibited.

Sec. 3. Interim definition added. DMMC 18.01.050 and section 5 of Ordinance No. 1591 as amended by section 1 of

Ordinance No. 1661
Page 4 of 5

Ordinance No. 1628 as amended by section 1 of Ordinance No. 1655 are amended to add the following definition:

"Gross floor area" means the area included within the surrounding exterior walls of a structure or building expressed in square feet and fractions thereof. The gross floor area of structure or building not provided with surrounding exterior walls shall be the area under each outer edge of the roof.

Sec. 4. Public hearing on interim zoning control. Pursuant to RCW 36.70A.390 and RCW 35A.63.220, the City Council shall hold a public hearing on this interim control regulation within sixty (60) days of its adoption, or before December 12, 2016. The Council shall hold this hearing on December 1, 2016. Immediately after the public hearing, the City Council shall adopt findings of fact on the subject of this interim control regulation and either justify its continued imposition or rescind the regulation.

Sec. 5. Declaration of emergency. The City Council hereby declares that an emergency exists necessitating that this Ordinance take effect immediately upon passage by a majority vote plus one of the whole membership of the Council, and that the same is not subject to a referendum (RCW 35A.12.130). Without an immediately effective interim regulation of the proportion of required commercial uses within Mixed Use Developments within the identified zones, applicants for such projects or uses could become vested, leading to development that could be incompatible with the regulations adopted in this interim control and which may eventually be adopted by the City. Therefore, the interim regulation in this Ordinance must be imposed as an emergency measure to protect the public health, safety and welfare, and to prevent the submission of applications to the City in an attempt to vest rights for an indefinite period of time. This Ordinance does not affect any existing vested rights.

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Ordinance No. 1661
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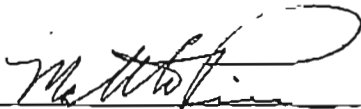
Sec. 6. Severability - Construction.

(1) If a section, subsection, paragraph, sentence, clause, or phrase of this Ordinance is declared unconstitutional or invalid for any reason by any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance.

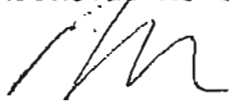
(2) If the provisions of this Ordinance are found to be inconsistent with other provisions of the Des Moines Municipal Code, this Ordinance is deemed to control.

Sec. 7. Effective date. This Ordinance shall take effect and be in full force immediately upon adoption, as long as it is approved by a majority plus one of the entire membership of the Council, as required by RCW 35A.12.130.

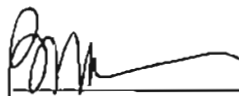
PASSED BY a majority plus one of the whole membership of the City Council of the City of Des Moines this 13th day of October, 2016 and signed in authentication thereof this 13th day of October, 2016.


MAYOR

APPROVED AS TO FORM:


Interim Assistant City Attorney

ATTEST:


City Clerk

Published: October 18, 2016

Effective Date: Immediately Upon Adoption

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LEGAL NOTICE
SUMMARY OF ADOPTED ORDINANCE
CITY OF DES MOINES

ORDINANCE NO. 1661, Adopted October 13, 2016.

DESCRIPTION OF MAIN POINTS OF THE ORDINANCE:

This Ordinance relates to zoning, enacts an interim zoning Ordinance relating to land use, amends Footnote 58 of DMMC 18.52.010B, adds an interim definition to DMMC 18.01.050, and declares an emergency necessitating immediate adoption of interim control regulations to ensure the City Council's intent for regulating the proportion of required commercial uses within Mixed Use Developments.

The full text of the Ordinance will be mailed without cost upon request.

Bonnie Wilkins, CMC
City Clerk

Published: October 18, 2016

Staff Recommended Amendment

The staff recommended amendment would amend footnote 58(b) by modifying subsection (f) and adding a new subsection (g) as follows:

Mixed use development shall conform to the following limitations and standards in the T-C and W-C Zones:

(a) Mixed use structures within the W-C Zone shall only be permitted south of South 268th Street.

(b) Mixed use structures shall contain area for retail trade or personal and business services at street level as follows:

(i) Pedestrian access from the public sidewalk to the retail trade or personal and business services shall be provided;

(ii) A minimum of 60 percent of the ~~street level floor area gross floor area~~ located at the street level shall be occupied by retail trade or personal and business services;

(iii) A minimum of 75 percent of the street level building frontage adjacent to public right(s)-of-way shall contain floor area for retail trade or personal and business services uses; and

(iv) Building space allocated for retail trade or personal and business service uses at the street level shall have a minimum gross interior depth dimension of 55 feet measured perpendicular to the property line abutting the public street(s) serving the site.

(c) The City Manager or the City Manager's designee is authorized to consider and approve up to a 20-percent reduction of the bulk requirements specified in subsection (58)(b) of this section when a development proposal incorporates on-site parking substantially at street floor level for retail trade or personal and business service uses and the City Manager or designee determines that the proposed reduction(s) does not compromise, interrupt, or

interfere with the desired functionality of the building or the continuity of City pedestrian-oriented design goals in the general area and pedestrian access to the site from the public sidewalk or right-of-way.

(d) Mixed use developments shall comply with all the requirements of chapter 18.155 DMMC, except for private recreational requirements established by DMMC 18.155.050(2).

(e) Mixed use projects in the W-C Zone shall include a Crime Prevention Through Environmental Design ("CPTED") review as part of the design review process.

(f) A detached structure that contains residential uses and does not meet the requirements for mixed use structures is prohibited, except as provided for in subsection (g).

(g) When a mixed use development as a whole meets the general intent of subsection b above, the requirements contained in subsections b, c, d and f above may be modified as part of a Planned Unit Development (PUD) and associated Development Agreement that are approved by the City Council.

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Community + Housing

Brian D. Sullivan

Development & Design Consultant

2020 187th Avenue NE

Redmond, WA 98052

425.641.5379 / 206.399.7082 cell

Sullivan.community@gmail.com



Daniel J. Brewer, P.E., P.T.O.E.
Planning, Building and Public Works Director
City of Des Moines
21630 11th Avenue South, Suite D
Des Moines, WA 98198

Date: November 7, 2016

RE: Redondo Mixed Use Code Analysis

Good Afternoon Dan

Thank you for meeting with Michael Lai and myself on November 2 to discuss the Redondo development. During that meeting we discussed potential zoning code revisions that would be required for a mixed use development that would include a hotel on the eastern end of the site facing Highway 99 and multifamily buildings on the western portion. We also discussed other zoning revisions and clarifications that we believe are consistent with similar developments in neighboring communities. You asked that we prepare a specific listing of zoning revisions and clarifications that we feel are appropriate for our proposed development. After reviewing all elements of the code that seemed appropriate I prepared a detailed itemization of code revisions below. Overall, these address the following issues:

- Gross Floor Area Definition
- The Purpose of the W-C Commercial zone south of South 268th Street
- The allowance of Multifamily in the W-C zone
- Clarification of allowed commercial uses in Multi-use and other buildings in the W-C zone
- Clarifying that the 60% requirement is for commercial uses not just retail, and the commercial space can be concentrated on the eastern portion of the site and also to be provided on upper floors of new buildings
- Clarifying that the 75% frontage requirement only pertains to Highway 99
- Clarifying that the commercial requirement may be reduced per note 58c for Table 18.52.010
- Clarifying that multifamily structures are permitted if all commercial use requirements are met elsewhere on the site
- Reduction in Common Recreation requirements
- Revision of Private recreation requirements
- Request for reduction of Play Space for Adolescent Children as permitted per code
- Revision of Parking requirements for hotels
- Revision of Parking requirements for units in Multifamily and Mixed Use buildings

Thank you again.

Brian Douglas Sullivan



Community + Housing

Brian D. Sullivan

Development & Design Consultant

2020 187th Avenue NE

Redmond, WA 98052

425.641.5379 / 206.399.7082 cell

Sullivan.community@gmail.com



Code Clarifications or Modifications for 18.01 General Provisions

18.01.050 Gross Floor Area, Interim Definition

"Gross Floor Area" means the area included within the surrounding exterior walls of a structure or building as expressed in square feet and fractions thereof. The gross floor area of structure or building or building not provided with surrounding exterior walls shall be the area under each outer edge of the roof.

Proposed change:

Replace "each outer edge of the roof" with "each outer edge of exterior walls on upper floors" or similar language. Since floor area calculations typically exclude projecting roof overhangs, it would seem appropriate to use the outer roof edge in calculating Gross Floor Area.

Code Clarifications or Modifications for the W-C Woodmont Commercial Zone

18.127.030 Purpose

The W-C Commercial Zone is primarily intended to enhance, promote and maintain commercial business areas, and to ensure land use compatibility among businesses in terms of permitted uses, building height, bulk, and scale; to provide a commercial area that reflects its commercial-oriented function; to serve the general public; and to ensure that development occurs consistent with the goals, policies, and implementation strategies of the City of Des Moines Comprehensive Plan. South of South 268th Street, the zone allows for a *more intense and efficient use of land at increased densities* for the mutual support of public investments and private development, while acknowledging the existing businesses along the State Route 99 corridor that serve a broader, regional clientele. Uses and development are regulated to create a *moderately dense* built-up environment, oriented to pedestrians, and ensuring a density and intensity that is transit supportive. [Ord. 1656 § 1, 2016; Ord. 1618-A § 3, 2015.]

Proposed change:

Rewrite the 'South of South 268th' section to better clarify the intentions for 'High Intensity' that allows multifamily residential and mixed use developments in this commercial zone. 18.01.050 *Definitions* has a definition for "*High intensity land use*" which seems appropriate for the intention of this zone ("*High intensity land use*" means *land uses which are associated with high levels of human disturbance or substantial habitat impacts including, but not limited to, medium- and high-density residential (more than one home per five acres), multifamily residential, and commercial and industrial land uses. The majority of land uses in Des Moines are considered "high intensity land use."*) The use of the term '*moderately dense*' appears to contradict the goal stated earlier in the paragraph for this zone.



Community + Housing

Brian D. Sullivan

Development & Design Consultant

2020 187th Avenue NE

Redmond, WA 98052

425.641.5379 / 206.399.7082 cell

Sullivan.community@gmail.com



Table 18.52.010B, Commercial Zone Primary Uses

The table allows for "Mixed Use" in the W-C zone. In 18.01.050 Definitions, "Mixed use" means one or more dwelling units and one or more enclosed commercial, business, or retail uses in a building in a Commercial or Residential Zone. No other residential uses are permitted.

Proposed change:

If it is agreed that the retail and commercial uses on the site may be concentrated in the buildings on the eastern portion of the site, then the buildings on the western portion of the site would be residential only - not mixed use. Therefore apartments, multifamily residential, hotels and other similar uses would need to be added to the allowed uses for the W-C zone. However, there would need to be a note that this is an allowed use contingent on City approval if the overall 'commercial' requirement as defined in note 58.b(ii) is met in the overall development of the site. This also affects note 58.f that currently doesn't not allow 'residential only' buildings.

Note 58 b

Note 58b begins with "Mixed use structures shall contain area for retail trade or personal and business services at street level as follows":

Proposed Clarification:

Retail trade or personal and business services are not terms either defined in 18.01.050 Definitions or in Table 18.52.010B. It would be important to define in Table 18.52.010B which 'commercial uses' are allowed in mixed-use structures in the W-C zone south of South 268th Street. For example: Hotels, motels, day care, storage lockers, gambling, kennels, etc. are allowed in the W-C zone per the table. Would they be allowed in a mixed use building on this site? In addition, a stand-alone hotel without ground floor retail should be permitted.

Note 58 b(ii)

Note 58b(ii) states, "A minimum of 60% of the 'gross' (*gross is the current proposed revision*) street level floor area (of each mixed use structure) shall be occupied by retail trade or personal and business services:"

Proposed Change and Clarification:

1. Again, Retail trade or personal and business need to be clarified.
2. To allow for the concentration of commercial uses on the eastern edge of the site, there needs to be a change reflecting that each building does not need to include 'commercial' uses.
3. To allow commercial requirements to be met in a multi-storied building - such as a Hotel or professional services on a second level above ground level retail - there needs to be a change noting 'commercial' uses do not need to be located on the street level floor.
4. Therefore the language in b(ii) might be changed to "*the combined commercial square footage of all buildings in the W-C development shall be equal to or greater than 60% of the total 'gross' street level floor area of all buildings on the site.*" This should imply that upper commercial uses meet the overall requirement.



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Development & Design Consultant

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425.641.5379 / 206.399.7082 cell

Sullivan.community@gmail.com



Note 58 b(iii)

Note b(iii) states, "A minimum of 75% of the street level building frontage adjacent to public right(s)-of-way shall contain floor area for retail trade or personal and business services."

Proposed Change and Clarification:

1. Again, Retail trade or personal and business need to be clarified.
2. Otherwise the language should clarify that only the frontage adjacent to Highway 99 must meet this requirement. Retail should not be required facing 16th Ave. south nor interior access driveways.

Note 58 b(iv)

Proposed Change and Clarification:

1. Again, Retail trade or personal and business need to be clarified.

Note 58 c

Note 58c states, "The City Manager ...is authorized to consider and approve up to a 20 percent reduction of the bulk requirements specified in subsection (58)(b) of this section when a development proposal incorporates on-site parking substantially at street floor level for retail trade or personal and business uses and the City Manager...determines that the proposed reduction (s) does not compromise, interrupt, or interfere with the desired functionality of the building.....

Proposed Change and Clarification:

1. Again, Retail trade or personal and business need to be clarified.
2. Depending on the final Hotel program and overall design, we might apply for this reduction.

Note 58 d: Private Recreational Requirements.

Note 58d states, "Mixed use developments shall comply with all the requirements of Chapter 18.155 DMMC, except for "private recreational requirements established by DMMC 18.155.020 (2).

Proposed Change and Clarification:

1. Private recreational requirements exemption. 18.155.20 and 18.155.050(2) require a minimum of 60 square feet of private outdoor recreational area shall be provided for each dwelling unit.... Note 58 d is stating this would not be required in mixed use buildings on this site.
2. We do not recommend exempting all private recreational areas per the current language. We would propose a requirement that 50% of the units in all Mixed-use and Multifamily buildings have either a 50 sq.ft. private deck or 80 sq.ft. private patio while the remaining units would have at minimum a 12 sq.ft. Juliette balcony. These standards are consistent with other local jurisdictions.



Community + Housing

Brian D. Sullivan

Development & Design Consultant

2020 187th Avenue NE

Redmond, WA 98052

425.641.5379 / 206.399.7082 cell

Sullivan.community@gmail.com



Note 58 f: Residential Structures.

Note 58f states, "A detached structure that contains residential uses and does not meet the requirement for mixed use structures is prohibited."

Proposed Change and Clarification:

As noted above in reference to Table 18.52.010B, if it is agreed that the required commercial uses may be concentrated in the buildings on the eastern portion of the site than the buildings on the western portion would be residential only - not mixed use.

Therefore apartments, multifamily residential and other similar uses would need to be added to the allowed uses for the W-C zone. However, there would need to be a note that this is an allowed use contingent on City approval if the overall 'commercial' requirement as defined in note 58b(ii) is met in the overall development of the site.

Code Clarifications or Modifications for 18.155 Multifamily Recreation Areas

18.155.050 (1) Minimum Area Required Common Recreation Areas

(1) Common Recreation Areas. Each multifamily building or complex of four or more units shall provide a minimum of 200 square feet of common recreation space per dwelling unit....Not more than 50 % of the required recreation space shall be indoors.....

Proposed Change or addition:

We are proposing adding a different standard for multiuse and multifamily buildings that determine the amount of Common Recreation Areas be calculated by unit size rather than a flat 200 square feet of common recreation space per dwelling unit. This approach is not trying to reduce open space standards but instead to recognize the fact that since smaller units have fewer residents than larger units, the Open space requirements should also be less per unit.

We recommend using a standard similar to the City of Burien as follows:

3 BR 170 sq.ft.

2 BR 130 sq.ft.

1 BR* 100 sq.ft.

Studio 85 sq.ft.

(Note* Includes open 1BR units)



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Development & Design Consultant

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Redmond, WA 98052

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18.155.050 (2) Minimum Area Required Private Recreation Areas

(2) Private Recreation Areas. A minimum of 60 square feet of private recreation area shall be provided for each dwelling unit. The minimum dimension of any private recreation area shall be 6 feet.....

For the WC zone, Table 18.52.010 Note 58d states, "Mixed use developments shall comply with all the requirements of Chapter 18.155 DMMC, except for "private recreational requirements established by DMMC 18.155.020 (2).

Proposed Change or addition:

As mentioned above, while note 58d removes the requirement for Private recreation areas, we would propose a requirement that 50% of the units in all Mixed-use and Multifamily buildings have either a 50 sq.ft. private deck or 80 sq.ft. private patio while the remaining units would have at minimum a 12 sq.ft. Juliette balcony. The minimum dimension of any private recreation area deck or patio shall be 5 feet and 1 foot for Juliette balconies. Required private recreation areas shall be adjacent to, and directly accessible from, the corresponding unit. *(These proposed standards are similar to but greater than the City of Burien for similar building types.)*

18.155.060 Play Space for Adolescent Children

At least 50 percent of the required common recreation area shall be designed and improved as play space for preadolescent children.....Planning, Building and Public Works Director may approve a reduction in the percentage...where the applicant can demonstrate to the Director's satisfaction that few or no children will reside in the development.....

Proposed Change or addition:

Since we expect a very low ratio of children in the community because the current design proposal includes only 15% 2BR units (112 out of 750 units) with the remaining units sized at 1 BR or smaller, we are asking for a reduction in the 50% requirement for Play Space for Adolescent Children. We would like to quickly reach an agreement on what the percentage would be. We would like to propose the requirement is 15% of Common Recreation Areas (as redefined above +/- 100) or approximately 15 square feet per unit. In the current proposal for 750 units, that would result in approximately 11,500 square feet of dedicated play areas in the development. That is enough area to serve 150 preadolescent children at one time per State Playground standards (75 sq.ft. per child.) In addition there still would be another 65,000 sq.ft of common open space to be used by the children with their families.

Further, to guarantee close proximity of a play space to each unit, we would recommend that, at a minimum, 1 play area no smaller than 1150 square feet and with a minimum 20 foot width shall be provided within 75 feet of any building with more than 150 units.



Community + Housing

Brian D. Sullivan

Development & Design Consultant

2020 187th Avenue NE

Redmond, WA 98052

425.641.5379 / 206.399.7082 cell

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Code Clarifications or Modifications for 18.210 Loading Areas & Off-Street Parking

18.210.090 Required Number of Off Street Parking

18.210.090 (8) Motels, motor hotels, and hotels: one parking space per hotel room plus two parking spaces for a resident manager or employees. In Pacific Ridge, this is reduced to 0.9 parking spaces per hotel room when no airport shuttle is provided and to 0.75 parking spaces per hotel room when airport shuttle is provided.

Proposed addition:

In TC and WC zones, this is reduced to 0.9 parking spaces per hotel room when no airport shuttle is provided and to 0.75 parking spaces per hotel room when airport shuttle is provided.

18.210.090 15(c) Residences - Multifamily

ii. Two parking spaces per dwelling.

iii. One guest parking space shall be provided per each 10 dwellings.

Proposed addition:

For 15(c) Multifamily we are proposing adding:

- iv. Multifamily (as part of a Mixed Use Development in the TC and WC zones.)
 - a. For a studio dwelling: one parking space
 - b. For one bedroom dwellings: one parking space
 - c. For two bedroom or more dwellings: 1.75 parking spaces
 - d. One Guest parking space shall be provided per each 10 dwellings.

18.210.090 15(g) Residences – Mixed Use

- i. Except as provided below, two parking spaces per dwelling.
- iv. Multifamily (as part of a mixed use Development in the TC zone.)
 - a. For a studio dwelling: one parking space
 - b. For one bedroom dwellings: one parking space
 - c. For two bedroom or more dwellings: 1.75 parking spaces
 - d. One Guest parking space shall be provided per each 10 dwellings.

Proposed Change or addition:

For 15(g) Mixed Use we are proposing revising as:

- iv. Multifamily and Mixed Use Developments in the TC and WC zones.
 - a. For a studio dwelling: one parking space
 - b. For one bedroom dwellings: one parking space
 - c. For two bedroom or more dwellings: 1.75 parking spaces
 - d. One Guest parking space shall be provided per each 10 dwellings.

If we applied these standards to the current design proposal, we would provide a ratio of 1.21 cars per unit (including guest parking.) If we used the *King County Residential Parking Calculator* we would be providing 1.17 cars per unit. We believe these are similar enough to warrant using the above zoning recommendations as a simpler and predictable way of calculating off street residential parking.

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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: 2017 Legislative Priorities

AGENDA OF: December 1, 2016

ATTACHMENTS:

1. 2017 Legislative Priorities
2. DRAFT White Paper on DNR Lease

DEPT. OF ORIGIN: Administration

DATE SUBMITTED: November 16, 2016

CLEARANCES:

- ☐ Legal JG
☐ Finance _____
☐ Marina _____
☐ Parks, Recreation & Senior Services _____
☐ Planning, Building & Public Works _____
☐ Police _____

APPROVED BY CITY MANAGER
FOR SUBMITTAL: _____

Purpose and Recommendation:

The purpose of this agenda item is to allow the City Council to review and adopt the City's legislative priorities for 2017 (Attachment 1).

Suggested Motion

MOTION: "I move to adopt the 2017 Legislative Priorities as submitted"

Alternate Motion

MOTION: "I move to adopt the 2017 Legislative Priorities as submitted and as amended by the City Council"

Background

From time to time the City will actively advocate for legislative positions that will benefit the City. These can be pieces of legislation establishing state of Washington policies and/or appropriations that provide resources for the City, in addition to other issues that arise in the State Legislature.

Discussion

The 2017 State Legislative session will begin in January, 2017. There are several issues critical to the well-being of the City and discussed below:

- Funds to replace the north bulkhead in the Marina. This is critical to maintaining the structural integrity of the Marina. It also will shore up the north parking lot that can serve as a staging area for air, land and sea operation in an emergency situation. Appropriate capital investment in the Marina serves the public interest by continuing to provide a safe, accessible location for public access to Puget Sound, the Marina, pier and Beach Park.
- Relief from the DNR lease payment that has increased considerably in recent years. The funds that are used to pay for the DNR lease can be reinvested into the Marina and provide enhanced recreation, emergency management options, economic development activities and public access. (Attached is the DRAFT White Paper on this issue prepared by staff).
- Provide legislative language that would allow the proceeds from the surplus of SR 509 assets (right of way) to remain with the SR 509 project, as opposed to being returned to the State's general fund. Also, include language that proceeds from the surplus of SR 509 assets should be applied against the "local contribution" share of the SR 509 project.
- Several public safety items, including
 - Improving the Mental Health System: Without better resources, LE will be faced with an increasing number of violent encounters.
 - Increase DNA Testing Capacity: We need additional funding so that the WSP Crime Lab's DNA Testing capacity can be increased and turn-around times decreased.
 - Address the Unintended Consequences of the Public Records Act: There needs to be tighter restrictions so that the abuse can be stopped.
 - Ensure Sufficient and Consistent Funding for Statewide Public Safety Training. This includes Academy Training and other programs that allow for regional information sharing and technology upgrades.
 - Increase Funding Opportunities for Small Agency Regional Partnerships: Create funding incentives that encourage LE agencies to create regional partnership models.
- Furthering issues identified in the City Council Intergovernmental Policies and Positions for 2017.
- Any additional items that come up during the Legislative Session that can further the City Council Goals and Objectives.

Alternatives

Council may choose to make changes to the Legislative Priorities or leave them as they are.

Financial Impact

The 2017 Budget includes \$27,000 to hire a lobbyist to champion the city's interests.

Recommendation

Staff recommends that Council adopt these Legislative Priorities..

City of Des Moines

2017 Legislative Priorities

The 2017 State Legislative session will begin in January, 2017. There are several issues critical to the well-being of the City and discussed below:

- Funds to replace the north bulkhead in the Marina. This is critical to maintaining the structural integrity of the Marina. It also will shore up the north parking lot that can serve as a staging area for air, land and sea operation in an emergency situation. Appropriate capital investment in the Marina serves the public interest by continuing to provide a safe, accessible location for public access to Puget Sound, the Marina, pier and Beach Park.
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- Furthering issues identified in the City Council Intergovernmental Policies and Positions for 2017.
- Any additional items that come up during the Legislative Session that can further the City Council Goals and Objectives.

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WHITE PAPER

DNR LEASE No. 20-A09080

Prepared by the City of Des Moines, WA

Contact: Michael Matthias, Interim City Manager

Purpose

The purpose of this paper is to provide information on the deteriorating infrastructure at the Des Moines Marina and to seek assistance in upgrading the marina by requesting relief from the 600% rental increase recently instituted by DNR for leasing of tidelands necessary for the operation of the Marina.

Background

The Des Moines Marina is nearly fifty years old and most of the infrastructure is original. In 2002 the City of Des Moines (City) adopted a master plan for the Marina that identified almost \$20 million dollars in needed replacements and upgrades. To date the City has reinvested almost \$11 million dollars in new infrastructure but with current debt service at about \$800,000 per year and only about \$4 million in annual revenues, the City will not be able to make any further significant investments in the Marina until 2028 when the last of the current debt is retired.

The City has been leasing State owned aquatic lands from the Washington Department of Natural Resources, (DNR), since 1972, to operate a full service public marina on the majestic Puget Sound. From 1972 until 2012, the most the City ever paid to lease this land was \$15,000 a year. The original lease consisted of two separate parcels of aquatic land. The first parcel (A), is located under the rock breakwater on the west edge of the Marina. The second parcel, (B), is located in the Marina entrance channel and under the northwest corner of the North Parking Lot.

A third parcel (C), was added in 1980 and was needed to build the Des Moines Public Fishing Pier. As this project created public access to the Puget Sound, the lease rate was not increased for this parcel. All three parcels are integral and necessary for the City's operation of the marina.

In 2011, DNR approached the City about renewing the longstanding lease which had then been on a yearly hold-over since 2002. The lease was finalized in 2012, and based on rent calculations found in state law, the City was obligated to pay approximately \$106,000 in 2012 for the three parcels. This rent increase represented a 600% increase from 2011 to 2012. Based on annual increases, the City paid roughly \$115,000 in 2016.

City owned marina facilities are not common in Washington. The City of Oak Harbor and the City of Des Moines own and operate medium sized marinas and both rely on leasing aquatic lands from DNR. The City of Seattle owns two small marinas on Lake Washington with DNR leases as well.

The lease agreements the Cities of Des Moines and Oak Harbor have with DNR are almost identical to the agreements that port districts have with DNR except for one major detail: the rental rate. State Law, (RCW 79.105.420) allows port districts to enter into “agreement(s) authorizing the port district to manage state-owned aquatic lands abutting or used in conjunction with and contiguous to uplands owned, leased, or otherwise managed by a port district for port purposes,” and that “*no rent is due the state* for the use of state-owned aquatic lands under this section for water-dependent or water-oriented uses.” Even though the City of Des Moines provides public amenities that enable all people to access and enjoy the Puget Sound, the City pays a significant lease rate for using DNR land for “water dependent and water oriented” uses.

On three occasions since the mid 1990’s, the City of Des Moines and the City of Oak Harbor initiated and actively promoted legislation that would change the conditions of the Aquatic Land Leases they had, (and currently have) with the Department of Natural Resources. Those changes would have enabled Cities to enter into no-fee aquatic lands management agreement with the DNR similar to the agreements that Port Districts have.

Prior to the last unsuccessful attempt in 2012 the City of Oak Harbor was able to get legislation passed that reduced their lease rate to zero for a period of 10 years, ending in 2019. They had to make some significant concessions to get relief but the deteriorating physical and financial condition of their Marina left them with limited options. Oak Harbor is nearing the end of their 10 year moratorium on the rent for their DNR lease and they have asked the City of Des Moines to join them in an effort to pass legislation that would result in both Cities being relieved of this cost.

Current Situation

To maintain a functionally and financially viable facility the City urgently needs to continue reinvesting in the Marina. In addition to being the water front for the City the Marina is a regional “magnet” that brings people from all over South King County and Northern Pierce County to Des Moines in addition to tourists and those living outside our region.

Impacts and Benefits

1. Public Access.

The Des Moines Marina and the adjacent Beach Park provide opportunities for multiple recreation activities and access to Puget Sound. Des Moines’ location is the only marina on the east side of the Puget Sound between Seattle and Tacoma.

Approximately 80% of all visitors to the Marina reside outside of Des Moines. It is a regional asset that provides water-dependent and water-oriented uses. The Marina provides over 700 slips for boats, a fishing and walking pier, multiple special events and the connection to the Beach Park allows for a multiplicity of recreational uses as does the trailhead for the Des Moines Creek Trail that is also in the proximate vicinity of the Marina.

2. Destination location and Marina Redevelopment

The Des Moines Marina includes a working boat yard and retail boat sales. The City owns the Marina and is actively reviewing and planning options for redevelopment of the Marina floor. It is anticipated that a new structure on the landside of the Marina will include structured parking, pedestrian access to the downtown, a boutique hotel, retail, restaurants and possibly some owner occupied residential units.

The City has been working closely with the Port of Seattle to fulfill elements of the Port's Century Agenda. To date the City has collaborated as a partner with the Port and Panattoni Company (a private developer) to redevelop the 89 acre Port owned tract of land that is being developed as the Des Moines Creek Business Park. Approximately 1.3 million square feet of building space has been constructed and leased in addition to the construction of a new \$60 million Federal Aviation Administration Regional Headquarters employing 1600 federal employees.

A new road connection between the Business Park and SeaTac airport provides logistical benefits form businesses needing to access the airport and air cargo facilities. The Business Park will employ approximately 4,000 new workers in the City. The availability of access and activities at the Marina can provide opportunities for recreation and increase economic activity.

In addition to creating 100,000 jobs in the region, the Port's Century Agenda outlines the goal of creating destination locations. The City received a planning grant from the Port to begin to put together a feasibility plan, including the financial resources necessary to move forward with Marina redevelopment.

The funds currently paid to DNR could be reinvested in the Marina to create and enhance new facilities that will support providing public access and recreational opportunities.

3. Marina is a magnet that distinguishes Des Moines

The Des Moines Marina is a magnet for the city and provides a destination venue for many different events. The Des Moines Farmer's Market is well attended by several thousand people each Saturday and Wednesday during the summer. Special events, concerts, and Opening Day for the Yacht Club, Waterland Festival, Fourth of July and others all encourage public use and participation at the Marina.

The Beach Park adjacent to the Marina provides beach access, conferencing and events facilities and access to the natural environment. All of these activities at the Marina and Beach Park enhance it as a regional destination.

4. Emergency Management staging area for multiple jurisdictions that require appropriate infrastructure improvements.

The Marina water and land access provides a critical regional link in emergency situations. The Marina is logistically a high priority resulting from its location between Seattle and Tacoma for staging of emergency operations and serves as a critical access point, for water and land transport. In the case of disruption to surface access on the

regional transportation grid, the Marina can become operational for land, sea and air (Helicopter) operations. The City is working with our regional emergency management partners who support the maintenance of the Marina infrastructure at an optimal level of readiness. The types of tactical exercises that occur on a yearly basis would be vital to emergency preparedness.

South King Fire and Rescue and King County Sheriff's Office have resources docked at the marina. These resources not only play an important emergency response role in the region, they're deployed on a consistent basis to calls for service. Their stationing of these resources at the Des Moines Marina means that response times to critical incidents will be kept to a minimum.

AGENDA ITEM

BUSINESS OF THE CITY COUNCIL City of Des Moines, WA

SUBJECT: 2017 Intergovernmental Policies and Positions

AGENDA OF: December 1, 2016

DEPT. OF ORIGIN: Administration

ATTACHMENTS:

DATE SUBMITTED: November 16, 2016

1. 2017 Intergovernmental Policies and Positions
2. Association of Washington Cities 2017 Legislative Session City Priorities

CLEARANCES:

- ☐ Legal 
- ☐ Finance _____
- ☐ Marina _____
- ☐ Parks, Recreation & Senior Services _____
- ☐ Planning, Building & Public Works _____
- ☐ Police _____

**APPROVED BY CITY MANAGER
FOR SUBMITTAL:** 

Purpose and Recommendation:

The purpose of this agenda item is to allow the City Council to review and adopt the City's Intergovernmental Policies and Positions for 2017.

Suggested Motion

MOTION: "I move to adopt the 2017 Intergovernmental Policies and Positions as submitted"

Alternate Motion

MOTION: "I move to adopt the 2017 Intergovernmental Policies and Positions as submitted and as amended by the City Council"

Background

The City Council first adopted a set of intergovernmental policies and positions in 1998, to let the public and our state and national legislative delegations know the official positions of the City of Des Moines on a variety of issues and subjects. Having adopted positions also allows staff to accurately relate the City's positions when discussing issues with other elected officials, in particular our state senators and

representatives. Since these positions were first adopted, the City Council has reviewed and, if needed, amended and updated them on an annual basis. The last review of these positions was in December 2014.

Discussion

The 2017 State Legislative session will begin in mid-January and the U.S. Congress will begin its work in Washington, D.C. in early January. It is, therefore, appropriate for Council to review its intergovernmental policies and positions as these legislative bodies start to meet. Attached for Council's convenience are the policies and positions adopted for 2016 (Attachment 1) to use as a starting point for discussion on what the City's 2017 policies and positions should be. The 2016 policies and positions are redlined for issues that may no longer be relevant or timely. Also attached for Council's information is the Association of Washington Cities' (AWC) 2017 Legislative Session City Priorities (Attachment 2). Highline Forum and Soundside Alliance have not drafted positions on legislative issues this year.

Alternatives

Council may choose to make changes to the current intergovernmental relations policies and positions or leave them as they are for 2017.

Financial Impact

None.

Recommendation

Staff recommends that Council adopt these intergovernmental policies and positions.

Concurrence

None.

City of Des Moines
2017~~6~~ Intergovernmental Policies and Positions

A. State of Washington Intergovernmental Positions

1. The City supports investigations into whether or not Streamlined Sales Taxes are being properly collected and remitted to cities into which purchased items are delivered.
2. ~~Des Moines~~ The City supports added state funding to meet local and regional transportation maintenance and capacity needs and supports providing cities and counties additional councilmanic revenue authority to fund local transportation needs.
- ~~3. The City supports a state law changing the City's aquatic land lease to much less as the Marina provides access to the water through the fishing pier and the breakwater protects the base of the pier as well as the boat moorage. (See updated #5 incorporating this position).~~
- ~~4.3.~~ The City supports restoring state-shared liquor revenues to 2011 levels.
- ~~5.4.~~ The City supports legislative review of the Growth Management Act in an effort to restore local control.
- ~~6.5. Des Moines~~ The City supports legislation that treats City leases of DNR aquatic lands equal to Port leases and/or eliminates or reduces rental rates. The City opposes legislation that increases the City's current lease rate.
- ~~7.6. Des Moines~~ The City supports Association of Washington Cities' (AWC) position that the State of Washington should fund and clarify new city responsibilities from the recent changes to state laws regarding recreational marijuana and marijuana taxation. ~~of marijuana.~~
- ~~8.7. Des Moines~~ The City supports restoration of and additional funding for the planning, acquisition, restoration and development of recreational and boating facilities and wildlife habitat.
- ~~9.8.~~ The City opposes legislation which reduces the authority of cities to assume special purpose districts.
- ~~10.9.~~ The City supports additional state funding for local criminal justice needs and training.
- ~~11.10.~~ The City supports proposals that will help cities manage public records requests.

- ~~12.11.~~ The City supports the restoration of historic levels of Public Works Trust Fund and Transportation Improvement Board funds and re-authorization of funding for the Community Economic Revitalization Board (CERB) and the Local Infrastructure Financing Tool (LIFT) program for local government infrastructure projects.
- ~~13.12.~~ The City supports tort reform that reduces municipal liability and exposures.
- ~~14.13.~~ The City opposes legislation that preempts local zoning control, including siting of essential public facilities for mental health services, addiction services, and resources to respond to homelessness.
- ~~15.14.~~ The City opposes personnel and labor relations legislation which diminishes its management rights or mandates additional unfunded programs and benefits. (This policy also applies at the federal level.) ~~Des Moines~~ The City supports legislation providing civil immunity from reference checks.
- ~~16.15.~~ The City supports legislation which would abolish the 1889-1890 right-of-way vacation by operation of law statutes.
- ~~17.16.~~ The City supports legislation that requires either sponsors of essential public facilities or jurisdictions in which EPF's are located to fully mitigate environmental, social, and economic impacts of the EPF in neighboring impacted jurisdictions.
- ~~18.17.~~ The City opposes legislation that would reduce municipal control over city streets and rights-of-way.
- ~~19.18.~~ The City supports legislation to elect Port commissioners by district.
- ~~20.19.~~ The City opposes mandatory requirements for affordable housing, housing growth, and residential density targets.
- ~~21.20.~~ The City supports legislation clarifying the right of cities to exercise use and zoning powers with respect to gambling activities, including the power to adopt moratoria, interim zoning controls, and prohibit gambling activities.
- ~~22.21.~~ The City supports legislation to increase the local share of municipal court fines and forfeits.
- ~~23.22.~~ The City supports legislation to allocate any surplus LEOFF I pension funds to local government to assist in meeting LEOFF I medical and long term care obligations.

- 24:23. The City supports legislation establishing a state process for siting an additional major airport at a location at least 15 miles from SeaTac International Airport and other essential public facilities of a regional nature.
- 25:24. The City supports legislation returning to Des Moines at no cost and with no conditions any portions of the SR-509 right-of-way south of South 216th Street not used for traffic improvements.
- 26:25. The City supports legislation and legal appeals that overrule Washington Utilities and Transportation Commission decisions regarding city rights-of-way and Puget Sound Energy. Cities should not be required to purchase private easements for utilities and rules regarding utility relocates and undergrounding should be re-enacted.
- 27:26. The City supports retention of full local authority to operate municipal courts. Additionally, the City supports the position that cities may contract with another city to provide municipal court services and opposes legislation that would erode or eliminate this ability.
- 28:27. The City supports flexible use of Real Estate Excise Taxes.
- 29:28. The City opposes any legislation which directly or indirectly aids in the expansion of Sea-Tac International Airport or the lengthening of any of its runways. (This policy also applies at regional and federal levels.)
- 30:29. The City supports State tax policies that assist cities in meeting infrastructure needs for new development in airport noise impacted areas.
- 31:30. The City supports amendments to binding interest arbitration criteria that require arbitrators to have a minimum level of experience and training, particularly in public finances, and allows arbitrators to consider a city's ability to pay when making arbitration rulings.
- 32:31. The City opposes the State's proposal to streamline the collection of B&O taxes and issuance of business licenses unless the new processes are revenue neutral to cities.
- 33:32. The City supports legislation that creates a true tax increment financing mechanism – to support economic development and infrastructure investment.
- 34:33. ~~Des Moines~~ The City supports full state funding for Shoreline Management Plan updates.
- 35:34. ~~Des Moines~~ The City supports continued implementation of court mandated K-12 funding reforms to provide adequate and equitable educational opportunities that prepare all students for college, career, and citizenship, support the unique demographic needs of Southwest King

County and the state's long-term economic vitality, and do so without negatively impacting existing funding levels for higher education or health and human services programs.

~~36.~~35. The City supports addressing ~~community~~ college budget funding shortfalls created by tuition reductions and partially funded salary increases.

~~37.~~36. The City supports legislation that allows all cities to impose a moorage fee and not incur any liability.

B. Federal Intergovernmental Positions

1. ~~Des Moines~~ The City supports passage of the Maritime Goods Movement Act (S. 1509) to keep the Ports of Seattle and Tacoma competitive with west coast Canadian ports and east coast U.S ports by changing how the Harbor Maintenance Tax is assessed and what projects/activities it funds.
2. Airport – The City supports expansion of the noise mitigation program to provide insulation to all buildings within the noise contours that trigger such action for single-family homes. The City supports construction of a Ground Run-up Enclosure but only if the hours ground run-ups are allowed are not expanded. See Policy A.30.
3. Personnel – see Policy A.15.
4. The City supports continued Community Development Block Grant funding.
5. The City opposes legislation that nationalizes cable television and telecommunications franchising, reduces or eliminates cities' ability to manage their rights-of-way, or reduces or eliminates cities' ability to impose franchise fees and utility taxes.
6. The City supports increasing federal funding of emergency preparedness for local first responders.
7. ~~Des Moines~~ The City supports declassifying marijuana as a schedule 1 drug, as defined by the Controlled Substances Act.

C. Metropolitan King County Intergovernmental Positions

1. The City supports continued King County funding of regional human service needs from current or future county revenues. ~~Des Moines~~ The City should remain a provider of local human services.
2. Any King County budget or service reductions should treat residents of incorporated and unincorporated areas equally.
3. King County Metro should provide the following transit services to Des Moines residents.
 - a. Existing routes.
 - b. Metro should restore service lost to cutbacks since 2000.
 - c. Enhance and increase east-west connections for Des Moines residents to transit service provided on Pacific Highway South, and with proposed service by Sound Transit.
 - d. Provide service to the Woodmont and Redondo areas of Des Moines to include the future 272nd Street Sound Transit Station at I-5.
 - e. Provide Dial-a-Ride service to the citizens of Des Moines.
 - f. Continue to fund the Access Transit ~~P~~rogram.
 - g. Continue to fund the Senior Services Des Moines/Normandy Park Shuttle.
 - h. Provide service from the Des Moines Creek Business Park to the Angle Lake Light Rail Station.
4. If the Legislature authorizes King County Metro to councilmanically enact a revenue stream to fund transit, then Metro should restore and enhance services in Des Moines
5. The City supports development of the Lake to Sound Trail System in south King County.
6. The City will participate in the WRIA9 water quality improvement process. Any changes in or new sources of revenue from Des Moines residents to support projects should be subject to City Council review and authorization.
7. ~~The City of Des Moines~~ supports other suburban cities in their negotiations to have King County fund infrastructure improvements in unincorporated areas prior to annexation. New unincorporated developments should provide urban level improvements such as adequate right-of-way, curb, gutter, underground utilities, etc.
8. King County should respect previous agreements regarding regional governance.

D. Interjurisdictional and Regional Intergovernmental Positions

1. The City supports a phased approach to the extension of SR-509 and Legislative efforts ensuring the full funding and timely completion of the project. Phase I should guarantee completion of the route from I-5 to SR-509 and include the following features: the I-5 collector/distributor lanes, a grade-separated interchange at South 200th Street, the planned South Access with interchange to SeaTac International Airport and provisions for 24th/28th Avenues to continue uninterrupted beneath or over SR-509.
- ~~2. The City supports a light rail alignment on the State Route 509 alignment and the west margin of Interstate 5 as the light rail corridor through Pacific Ridge.~~
- ~~3.2.~~ ~~Des Moines-~~ The City supports clear, transparent, planning efforts on the part of Sound Transit that create positive, cooperative relationships and result in all stakeholders having in depth knowledge of all potential Sound Transit plans, studies, and projects such that they can provide Sound Transit with timely and thoughtful input.
- ~~4.3.~~ The City supports completion of the higher speed south access route from the SR-509 extension to the south end of the airport, to be funded by the Port of Seattle.
- ~~5.4.~~ ~~Des Moines-~~ The City supports the development and implementation of a comprehensive regional and state Emergency Management, Response, and Communication System.
- ~~6. The City supports the construction of the 28th-24th arterial as a separate business access roadway and opposes any interim use of this route for airport south access.~~
- ~~7.5.~~ The City supports straightening the Kent-Des Moines boundary on Highway 99 south of Kent-Des Moines Road so that Highway 99 would be the dividing boundary between the two cities.
- ~~8.6.~~ The City generally supports local, state, and regional efforts to proactively improve salmon habitat to avoid imposition of more restrictive and less flexible federal standards and efforts to continually improve and upgrade surface water capital facilities.
- ~~9.7.~~ The City supports and encourages local water districts to engage in regional and local efforts to ensure adequate future water through conservation and development of new supplies.
- ~~10.8.~~ The City supports retention of local control over its roads.

~~11.9.~~ The City supports interlocal agreements with its neighboring cities to coordinate the collection of traffic impact fees and imposition of appropriate environmental mitigation for development projects near our respective boundaries.

~~12.10.~~ The City supports continued coordination with utility and other special districts to plan for capital improvements within the City limits.

~~13.11.~~ The City opposes any proposal extending Kent's cross-valley connector (South 228th Street) any further west than the south bound I-5/SR 509 proposed right-of-way.

General Policies

1. Any new, law, regulation, or requirement from the county, state, or federal levels should be matched with ongoing secure sources of revenue sufficient to fund the mandate.
2. Decisions affecting Des Moines are best made at the local level. Therefore, county, state and federal legislation or mandates should not erode or curtail local authority.
3. The City opposes any federal, state or regional actions which reduce the fiscal capacity of the City to provide services to its citizens.

Adopted by the
Des Moines City Council
At an open public meeting
December 1, 2016
~~December 10, 2015~~

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2017 Legislative Session

City Priorities

In order for Washington State to be its best and attract the best, our 281 cities and towns must be strong.

- Cities are where more than 4.6 million people call home, and this number is growing quickly.
- Cities are where the majority of the state's revenues are generated, including \$1.3 billion in property taxes, and \$7.5 billion in sales tax.
- Cities contain the state's economic engines, where 69% of job-generating businesses are located.

The 2017 legislative session will be lengthy and difficult. In light of competition for the state's limited resources, this session could be a game changer for cities and communities around the state. In order to help solve our shared critical challenges and maintain Washington's vibrant communities, the Legislature must:



Update the Public Records Act so cities can continue to provide open and transparent government services to Washington residents.



Respect city local authority with regards to revenue, taxes, licensing, and home rule; city officials are elected and must have the authority to solve local challenges.



Support and enhance actions to increase affordable housing, decrease homelessness, and improve a strained mental and behavioral health system.



Maintain the city-state partnership for shared revenues to fund key services.



Revitalize key infrastructure assistance programs to support job creation, our health and safety, economic vitality, and quality of life.



Provide adequate and sustainable funding to maintain high-quality statewide training for law enforcement personnel.



Maintain funding for the Municipal Research and Services Center (MRSC) to provide vital support for local government performance.

Founded in 1933, the Association of Washington Cities (AWC) is a private, nonprofit, nonpartisan corporation that represents Washington's cities and towns before the state legislature, the state executive branch and with regulatory agencies. Membership is voluntary. However, AWC consistently maintains 100% participation from Washington's 281 cities and towns.

Contact:

Dave Williams

Director of Government Relations
davew@awcnet.org • 360.753.4137





2017 Legislative Session

City Priorities



Public Records

Modernize the Public Records Act (PRA) so that cities can continue to provide open and transparent government services to our residents

Every day, local government officials ensure transparency in government and serve as stewards of public resources by effectively implementing the PRA. However, advances in technology and the increased volume and complexity of records requests are undermining the PRA. This act must be updated to reflect 21st century realities in order to fulfill its original purpose, provide government transparency, and make wise use of taxpayer dollars.

Cities ask the Legislature to:

- Permit cities to charge for providing complex digital data and electronic copies of public records, similar to charges for making a paper copy.
- Develop an alternative dispute resolution system that serves government agencies and requestors to quickly resolve disagreements without costly litigation.
- Designate technical and funding assistance by restoring funding to grant programs that help local governments.



Homelessness, Housing & Human Services

Enhance efforts to increase affordable housing, decrease homelessness, and improve a strained behavioral health system

Urban and rural cities throughout the state are grappling with increasing homeless populations, lack of affordable housing, and a poorly-funded mental health and substance abuse system. Cities are struggling to solve these issues with limited resources. Together with the state, counties, and nonprofit partners, we support efforts to develop new strategies that address the issues plaguing our human service, homeless support, and affordable housing systems.

Cities ask the Legislature to:

- Make the document recording fee permanent and increase the fee to expand investments in homelessness assistance.
- Invest another \$200 million in the Housing Trust Fund, the preeminent tool in the state to fund affordable housing construction.
- Create new local options to generate revenue for homelessness services and for affordable housing construction.
- Ensure full authority to allow the state to maximize federal Medicaid resources and provide additional resources for mental health and chemical dependency services.

In order for Washington State to be its best and attract the best, our 281 cities and towns must be strong.

- Cities are where more than 4.6 million people call home, and this number is growing quickly.
- Cities are where the majority of the state's revenues are generated, including \$1.3 billion in property taxes, and \$7.5 billion in sales tax.
- Cities contain the state's economic engines, where 69% of job-generating businesses are located.

more priorities on back

Contact: **Dave Williams**
Director of Government Relations
dave@awcnet.org • 360.753.4137





Local Infrastructure

Revitalize key infrastructure assistance programs that support job creation, community health and safety, and quality of life

City infrastructure systems are a critical part of a larger network that serves and benefits the entire state. Diversion from programs that support basic local infrastructure means that communities cannot affordably maintain and secure new infrastructure.

Cities ask the Legislature to:

- Provide stable and reliable infrastructure assistance to help cities overcome the financial challenges of building and repairing local systems that support economic development and benefit the entire state.
- Commit to a proactive state partnership in key programs like the Public Works Trust Fund. If current programs are not sustainable, they need to be reformed.



Local Authority

Respect city authority to respond to local needs

With the Great Recession behind us, cities are looking for stable revenue to provide essential services to our growing population, such as public safety and infrastructure. City officials are elected and must have the authority to solve local challenges.

Cities ask the Legislature to:

- Respect cities' local authority for revenue, taxes, licensing, and regulation.
- Limit property tax revenue to inflation and population growth.



City-State Partnership

Preserve the city-state budget partnership

Over the last few years, the state has balanced its budget at the expense of cities. While we understand the fiscal challenges the Legislature faces, we cannot accept that sweeping critical funds from their intended uses is in the best interest of our state. AWC supports the Legislature in securing sufficient revenue to fund state programs and obligations, and therefore unilaterally eliminating or significantly reducing state funding to cities is not acceptable.

Cities ask the Legislature to:

- Maintain the city-state shared revenue partnership for funding key services.
- Provide adequate and sustainable funding for the Criminal Justice Training Commission to maintain high-quality statewide training for law enforcement personnel.
- Continue the current funding from local liquor revenue distributions to the Municipal Research and Services Center (MRSC), which provides vital support for local government performance.

For more detailed information on each of these priorities, issue briefs are available on our website.

www.awcnet.org/advocacy

Contact: **Dave Williams**
Director of Government Relations
davew@awcnet.org • 360.753.4137



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New Business Item 2

AGENDA ITEM

BUSINESS OF THE CITY COUNCIL City of Des Moines, WA

SUBJECT: 2017 City Council Vision, Mission Statement, Goals and Strategic Objectives

AGENDA OF: December 1, 2016

DEPT. OF ORIGIN: Administration

ATTACHMENTS:

1. 2017 City Council Vision, Mission Statement, Goals and Strategic Objectives- legislative format
2. 2017 City Council Vision, Mission Statement, Goals and Strategic Objectives- changes incorporated

DATE SUBMITTED: November 16, 2016

CLEARANCES:

- ☐ Legal _____
- ☐ Finance _____
- ☐ Marina _____
- ☐ Parks, Recreation & Senior Services _____
- ☐ Planning, Building & Public Works _____
- ☐ Police _____

APPROVED BY CITY MANAGER
FOR SUBMITTAL: 

Purpose and Recommendation:

The purpose of this agenda item is to allow the City Council to formally adopt its 2017 Vision, Mission Statement, Goals and Strategic Objectives.

Suggested Motion

MOTION: “I move to adopt the Vision, Mission Statement, Goals and Strategic Objectives for 2017 as amended by the City Council at the October 29, 2016 Council goal setting retreat”

Background

At the October 29, 2016 goal setting retreat, the City Council reviewed and amended its Vision, Mission Statement, Goals and Strategic Objectives for 2016. The attached reflects the decisions made by the Council. Attachment 1 shows those changes in legislative format and attachment 2 has the changes incorporated into the document in final form.

Alternatives

Council may choose not to adopt the attached Vision, Mission Statement, Goals and Strategic Objectives, leaving them as they were before the October 29, 2016 retreat or change and/or add items and issues not addressed in the attached document.

Financial Impact

None.

Recommendation

Staff recommends that Council adopt the attached Vision, Mission Statement, Goals and Strategic Objectives as amended.

Concurrence

None.

Strategic Objectives

Short Term

- Aggressively remediate nuisance properties.
- Implement and practice the City's Emergency Management Plan.
- ~~Adopt~~Finalize and begin implementation of a and implement a Marina, Beach Park, and Redondo Business Plan.
- ~~Create and implement a financial sustainability plan for the Marina, including a public input process.~~
- Ensure that infrastructure is in place to support ~~Marina District~~ development.
- ~~Aggressively pursue alternative revenue sources, including restoration of the state's Sales Tax Equalization program.~~
- ContinueIncrease opportunities to recognize community members/organizations and City staff.
- ~~Review and modify as needed regulations along commercial corridors.~~
- Develop and Implement a written, measurable communications plan and strategy.
- ~~Continue and enhance the City's collaborations with the educational communities.~~
- Develop and implement an economic development strategic plan, ~~to include business retention and attraction and a marketing/branding program for the City.~~
- Continue to Work with our neighboring cities, Highline College, Metro and Sound Transit to develop the best Link Light Rail transit alternative, ~~and connecting services for Des Moines.~~
- Continue to support appropriate development opportunities in Des Moines. ~~on Port of Seattle-owned property in Des Moines.~~
- Finalize low impact development code implementation and support new code language which provides development flexibility in exchange for natural resource preservation including existing trees and greenbelts.
- Enhance public safety through appropriate hiring, staffing and technology and continued focus on prevention and community engagement.
- ~~Capital replacement program for all of the City Facilities.~~

Long Term

- Support on-going programs to improve public safety.
- Aggressively remediate nuisance properties.
- Pursue Mass transit and other multi-modal transportation options
- Maintain the Police Department's accreditation.
- ~~Develop and implement an economic development strategic plan, to include business retention and attraction and a marketing/branding program for the City.~~
- Continue and enhance the City's collaborations with the educational communities
- Develop a comprehensive facilities, infrastructure, and technology replacement and maintenance plan to include collaboration with other community partners/entities.
- Continue to educate the business and development community to City process improvements and innovations.

- Continue to work the State Department of Transportation for the design and completion of State Route 509.
- Adequately fund and support programs preserving livability for all generations.

Process

Educational Communities

Neighborhood Advisory Committee/Community Engagement

~~Criminal Justice Summit (early 2016): Police, Prosecution, Defense, Court and Jail~~

Communications/Civic Engagement/User Interactions

Study Sessions (Series): ~~City Government 101 (comprehensive series, recorded for posting at the website)~~ Utilities (needs/process); Community Groups

Strategic Objectives

Short Term

- Aggressively remediate nuisance properties.
- Implement and practice the City's Emergency Management Plan.
- Adopt and implement a Marina, Beach Park, and Redondo Business Plan.
- Ensure that infrastructure is in place to support development.
- Continue to recognize community members/organizations and City staff.
- Implement a written, measurable communications plan and strategy
- Develop and implement an economic development strategic plan.
- Continue to work with our neighboring cities, Highline College, Metro and Sound Transit to develop the best transit alternative.
- Continue to support appropriate development opportunities in Des Moines.
- Finalize low impact development code implementation and support new code language which provides development flexibility in exchange for natural resource preservation including existing trees and greenbelts.
- Enhance public safety through appropriate hiring, staffing and technology and continued focus on prevention and community engagement.
- Capital replacement program for all of the City Facilities.

Long Term

- Support on-going programs to improve public safety.
- Aggressively remediate nuisance properties.
- Pursue Mass transit and other multi-modal transportation options
- Maintain the Police Department's accreditation.
- Develop and implement an economic development strategic plan.
- Continue and enhance the City's collaborations with the educational communities
- Develop a comprehensive facilities, infrastructure, and technology replacement and maintenance plan to include collaboration with other community partners/entities.
- Continue to educate the business and development community to City process improvements and innovations.
- Continue to work the State Department of Transportation for the design and completion of State Route 509.
- Adequately fund and support programs preserving livability for all generations.

Process

Educational Communities

Neighborhood Advisory Committee/Community Engagement

Communications/Civic Engagement/User Interactions

Study Sessions (Series): Utilities (needs/process); Community Groups

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CITY COUNCIL REGULAR MEETING



Speaker Sign-Up Sheet

December 1, 2016

NAME (PLEASE PRINT)	ADDRESS	TOPIC	PHONE/E-MAIL ADDRESS
✓ SCOTT WILKINS		Tenant Party	
✓ LARRY CRIFE		Airport Noise	206-321-0630
✓ STELLA BRUSH		Quiet Skies Coalition	.5
✓ CANDACE WAGNER		Quiet Skies	
✓ JERRY P HARRIS		Fire Works	
✓ BILL LINSOTT		Part of Seattle Grant Study	(206) 445-2099
✓ Harry Steinmetz	Des Moines	Airport Noise	

*Tenants
You're Invited*



Tenant Appreciation Holiday Party

DECEMBER 7TH 2016

6:00PM

*Chowder, Cocoa, Lighted boats,
and Raffle prizes.*

Show off your decorated boat for a chance to win a prize.

Overnight moorage for decorated boats is free.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DES MOINES, WASHINGTON, declaring the City of Des Moines' support for HR 3965 - the FAA Community Accountability Act of 2015 and HR 3384 - the Quiet Communities Act of 2015.

WHEREAS, HR 3965, the FAA Community Accountability Act of 2015, would require the Administrator of the Federal Aviation Administration (FAA) to take actions to limit community impacts resulting from the implementation of the Next Generation Air Transportation System (NextGen); and

WHEREAS, the NextGen system is a nationwide plan to convert air traffic control from a radar-based system to a satellite-based beginning in 2012; and

WHEREAS, this legislation would allow the FAA's Administrator to give preference to existing flight paths or procedures to ensure compatibility with land use near affected airports and establishes a Community Ombudsman for each FAA region in order to serve as a liaison between affected communities and the Administrator; and

WHEREAS, HR 3965 would prohibit the Administrator from treating a new or revised flight path or procedure as a categorical exclusion if the Ombudsman or affected airport operator provides notice that such a change would have a significant adverse impact on the community or that extraordinary circumstances exist; and

WHEREAS, this legislation would require the FAA Administrator to provide public notice and an opportunity for affected persons and airport operators to comment; and

WHEREAS, HR 3965 would require the FAA Administrator to reconsider a NextGen flight path or procedure when an Ombudsman or the operator of an airport affected submits written notification that such a change will result in a significant adverse impact on the human environment in the vicinity of the airport; and

WHEREAS, HR 3384, the Quiet Communities Act of 2015, would require the Environmental Protection Agency (EPA) to reestablish the Office of Noise Abatement Control; and

WHEREAS, the Office of Noise Abatement Control would promote the development of effective State and local noise control programs through technical assistance and grants, would conduct research assessing the impacts of noise from varied noise sources on mental and physical health, would carry a national noise environmental assessment program to identify trends in noise exposure and response, ambient levels, and compliance data and to determine the effectiveness of noise abatement actions; and

WHEREAS, the Office of Noise Abatement Control would also develop and disseminate information and educational materials on the mental and physical effects of noise and the most effective means for noise control, including through establishing regional technical assistance centers; and

WHEREAS, HR 3384 would fulfill the Office of Noise Abatement Control's mandate in which it is required to emphasize noise abatement strategies that build upon local and State activities, market incentives, and in coordination with other public and private agencies; and

WHEREAS, this legislation would require the EPA to complete an airport noise study examining airport noise measurement methodologies selected by the FAA, the threshold of noise at which health impacts are felt, and the effectiveness of noise abatement programs at airports around the country. The EPA Administrator would also be required to make specific recommendations on new measures that can be implemented to mitigate the impact of aircraft noise on surrounding communities. The study and recommendations must be submitted to Congress within 24 months from the date of enactment; and

WHEREAS, this legislation would also amend the Noise Control Act of 1972 to authorize a grant program to establish and implement training programs on noise abatement equipment and to implement noise abatement plans and authorizes \$21 million in annual funding for FY 2016 - FY 2020; now, therefore,

THE CITY COUNCIL OF THE CITY OF DES MOINES RESOLVES AS FOLLOWS:

RESOLVED: That the City of Des Moines supports its residents' interests and will advocate on their behalf when federal legislation comes forward which seeks to address problems our community members face; and be it

FURTHER RESOLVED: That the City of Des Moines asserts its support for both the FAA Community Accountability Act of 2015 and the Quiet Communities Act of 2015.

Passed by the following vote:

Ayes: PINA, MUSSER, KAPLAN, PENNINGTON, BACK, BANGS, KAPLAN, NUTTING

Noes:

Absent:

Abstention:

ADOPTED BY the City Council of the City of Des Moines, Washington this ____ day of December, 2016, and signed in authentication thereof this _____ day of December, 2016.

M A Y O R

APPROVED AS TO FORM:

City Attorney

ATTEST:

City Clerk

Bill Linscott – Des Moines Resident
Comments to Des Moines City Council
December 1, 2016

Mayor, Council and Staff,

I would like to provide some thoughts and comments on the Marina/Marina District Grant Study to be performed by The Holmes Group consulting firm.

First - This is a great opportunity for Des Moines and I'm pleased to have funding support from the Port of Seattle. From the discussions I heard at the City's Planning Retreat, coupled with this study, this may likely be a *new starting point* for establishing the City's future vision of the Marina and the Marina District. If this is the case - it is actually a Big Deal.

This study also responds to one of the major concerns expressed by the Marina District through the Citizens Advisory Committee: *Lack of a shared view and vetted plan for the Marina and Marina District. The Vision of the future is missing.*

As this study kicks-off with the consultant, it would be good to have an overview briefing from Michael outlining the purpose and scope. This would explain how it fits in to creating that future vision. Right now we only know that it was a Consent Agreement item approved without discussion. It would be important to help get the public better informed and involved.

In that Citizen Advisory Committee list of neighborhood concerns we also found:

- A need for more community involvement in creating the City's Development plans (they don't feel informed or asked to participate); and*
- A concern their thoughts and ideas will be overlooked in favor of developers or consultants who want to tell us what our future community vision will be.*

In the performance of this study, there appears to be an opportunity to attend to these needs and concerns.

-The study scope of work has the consultant meeting with: The Port of Seattle; City Staff; and City Council. There is also a reference to meeting with "*key local players*" - but not sure who they are. I hope this means public groups (DMMA, Marina District neighborhood group; Citizen Advisory Committee for a resident view; CSR; Anthony's; and Classic Yacht Sales.

There could even be a Citizen Advisory Committee Action from the Council.
(One Suggestion: Take a Saturday and have a public brainstorming type of meeting like the Mayor conducted with the Citizen Advisory Board. Could even have the Mayor and CAC host and conduct such a session).

In any event, an approach asking for neighborhood input and insight would go a long way in creating public understanding/support/trust with the results. That, in itself, would produce a better result.

(This engagement should not be merely a briefing at the end for public comment/reaction, but an input at the beginning for consideration as part of the study.)

That said, a couple of comments on the scope of work:

-Surprised there is no mention of a co-location with the “operating marina” and a tasking of the consultant to address how their results will work with, or leverage this.

-I do like the mention of a City Council “Study Group Session” in the scope of work. Such a study session should have more in it than consultant study results. It should include a discussion of the whole: Marina District, Marina - Commercial opportunities, and the Operating Marina (docks, services, and future boating trends).

-The scope of work also references “residential” opportunities. That is a dramatic change for the marina floor atmosphere and contrast to a working/operational marina, and a public benefit area for the gathering of our community. Not sure that is in the zoning there.

Conclusion: Great to have this study underway ...critical to have more people informed and engaged with development plans that are important for the entire City and its future.

Thank you for time to comment.

SCOPE OF WORK – DES MOINES, WA

Background

The City of Des Moines and Port of Seattle are jointly funding a **Feasibility Study of downtown marina property owned by the City**. The intent behind this Study is to provide both the City staff and City Council with a combination of **development and marketing insight** into this property and the level of its importance to the ongoing revitalization of downtown.

The City is experiencing very significant growth through the development of an Industrial Park and the FAA (Federal Aviation Authority) headquarters building that is within the City but is not easily walkable to the marina and downtown.

The Industrial Park developer Panattoni, the City and the Port all view connecting the project and its four to five thousand employees to downtown Des Moines and the marina as being important to any revitalization strategy. **The marina project is seen as a catalyst to any revitalization strategy** ~ it has the potential to become a Des Moines attraction, **a magnet for residents and visitors alike**. Combined with the marina's proximity to Sea-Tac, downtown Des Moines (if strategically branded) could become a sought after corporate meeting center, a waterfront food and beverage hub, a boutique retail shopping area, and other yet-to-be imagined economic drivers.

1. **Market opportunity analysis.** Assess the viability of a **range of residential and commercial uses** at the site through analysis of regional and local trends, **discussions with key local players**, and preliminary financial projections. **The goal of this analysis will be to identify land uses which have the highest likelihood of success at the site.**
2. **Parking analysis.** An occupancy (only) study of **the downtown/marina** based on city land use/building square footages and will provide an estimate blended demand number (factoring in vacancies, shared parking) for existing development and use it as a factor against future/anticipated development including the Des Moines Creek Business Park. This would be used as a basis for a range of future parking demand, both with assumptions of future parking demand being higher or lower than existing. (The City indicates the study should assume **200+** parking spaces on the site, plus spaces **required for the project itself**.)
3. **Development scenarios.** Leveraging findings from the market opportunity and parking analyses, analyze potential development scenarios at the site. Each scenario will include building massing, conceptual design, and financial pro forma analyses with construction estimates and an onsite tour of the Marina.
4. **Meeting the key members from the Port of Seattle** to discuss their role in economic development at the Marina as appropriate.
5. **A meeting with the key City staff** to evaluate any conceptual site plan alternatives and select preferred alternatives that we will refine and develop for the Feasibility Study.
6. **Presentation of the Feasibility Report to either a City Council Committee or a Special Study Session of the City Council.**

Meetings

1. Kick-off meeting
2. Tour of downtown Des Moines and project site
3. **Working meeting with City staff**

Primary focus on Marina. Minor mention of downtown in Parking Analysis only.

Does this engage our residents?

Is this limited to Hotels or to include Apt. and condos

Do not understand an assumption for the "Project on Marina floor - Not downtown?"

Good idea! but should include the Project, the Marina Dock & Marina District

Why not a meeting with residents to collect their insight & input?

Where are the residents involved?

Deliverables

1. The report will be provided to the City electronically.

Cost

Compensation for this Scope of Work is based on a current Port of Seattle Economic Development Grant with City match **NOT TO EXCEED \$60,000 in total expenditures for completion of the Feasibility Study.** The proposal includes the three meetings outlined. If the City wants additional meetings, these will be additional services, done on an hourly basis and are not included in the \$60,000 budget.

Team Members

THG, LLC, CollinsWoerman, Rick William Parking Consultants, Embarcadero Hospitality Group.

Timing

Presentation to the City Council will occur **in the March/April 2017 time frame.** Deliverables must be received by **May 31, 2017.**

Study Resources

The City will provide as are available:

1. Previously developed materials that may add in the understanding and background of this SOW
2. A scaled dimensioned property map of the site
3. Soils reports identifying any constructability impacts
 - a. If a Phase I ESA is not available, the consultants will assume there are no hazardous materials on the site
4. Title report and ALTA site survey showing any easements, topography and other issues or conditions which may impact development of the site
5. Land use/building square footages for downtown



CITY COUNCIL

PUBLIC HEARING Speaker Sign-Up Sheet

Draft Ordinance No. 16-181; Zoning Controls for W-C and T-C Zones

December 1, 2016

NAME (PLEASE PRINT)	ADDRESS	PHONE/E-MAIL ADDRESS
Brian Sullivan	1020 10 th Ave NE, Redmond	sullivan.community@gmail.com
Kate Taylor	325 W. Gower St	ktaylor@valleycities.org



Washington State Transportation Improvement Board

TIB Members

Commissioner Richard Stevens,
Chair
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City of Maple Valley

David Ramsay
Feet First

Amy Scarton
WSDOT

Martin Snell
Clark County

Jay Weber
County Road Administration Board

November 18, 2016

The Honorable Matt Pina
Mayor
City of Des Moines
21650 11th Avenue South
Des Moines, WA 98198-6317

Dear Mayor Pina:

Congratulations! We are happy to announce the selection of your project, S 216th Street, 11th Ave S to 20th Ave S, TIB project number 8-1-110(008)-1. TIB funds granted to this project total \$3,157,245.

This year, we received requests to fund 378 different projects, totaling more than \$301 million. We are pleased to provide \$117 million in transportation investments to cities and counties like yours throughout the state.

If you have questions, please contact Greg Armstrong, TIB Project Engineer, at (360) 586-1142 or e-mail GregA@TIB.wa.gov.

Sincerely,

Stevan Gorcester
Executive Director

Stevan E. Gorcester
Executive Director

P.O. Box 40901
Olympia, WA 98504-0901
Phone: 360-586-1140
Fax: 360-586-1165
www.tib.wa.gov

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News Release

Port of Seattle Modifies Flight Safety Tree Removal and Replanting Plan

Creates \$1 million Airport Community Ecology Fund for airport-area communities to improve environmental and ecological projects and programs

11/22/2016

SEATTLE – Port of Seattle Commissioners responded to community concerns today with significant action on a safety program that replaces over-height trees in the Sea-Tac Airport flight corridor with native, lower-growing trees and shrubs.

Commissioners also created an unprecedented \$1 million fund for the citizens and communities of Burien, Des Moines and SeaTac to invest in environmental and ecological projects and programs.

The Port of Seattle will move forward with a plan that substantially reduces the number of trees to be removed and replanted in early 2017. The plan also calls for more community engagement before determining the removal and replanting approach for Port-owned property near S 200th St and 10th Ave S, where most of the over-height conifers are adjacent to residential properties.

The modified Phase 1 work will begin in early 2017 by removing approximately 611 trees planted on Port property and replanting approximately 1463. Native, lower-growing trees, shrubs and flowers the Port of Seattle will plant include:

SHRUBS



Ocean Spray
Holodiscus Discolor



Vine maple
Acer Circinatum



Wilder Cluster Rose
Rosa Gymnocarpa



Mock Orange
Philadelphus Lewisii



Ninebark, Pacific
Physocarpus Capitulatus



Nootka Rose
Rosa Nutkana



Red Flowering Currant
Ribes Sanguineum



Wilder Cluster Rose
Rosa Gymnocarpa



Scouler's Willow
Salix Scouleriana

TREES



Shore Pine
Pinus contorta



Oregon Ash
Fraxinus Latifolia



Red Alder
Alnus Rubra



Pacific Willow
Salix lucida

[Click on image to enlarge.](#)

Next steps for the flight corridor safety tree removal and replanting include:

- In the first half of 2017, the Port will conduct public engagement on options for the Port-owned properties near S 200th St and 10th Ave S, also referred to as P4 and P5 on the Port maps.
- In 2017, The Port will conduct environmental review and design for Phases 2 and 3, which includes trees on property owned by other public agencies, private businesses and individuals in 2017. Phase 2 and 3 environmental documentation will be available and a public comment period will begin in the second half of 2017 at the earliest.

About Seattle-Tacoma International Airport

Operated by the **Port of Seattle**, Seattle-Tacoma International Airport (SEA, KSEA) is ranked as the 13th busiest U.S. airport, serving nearly 42.3 million passengers and more than 332,000 metric tons of air cargo in 2015. With a regional economic impact of more than \$16.3 billion in business revenue, Sea-Tac generates 171,796 jobs (109,924 direct jobs) representing over \$2.8 billion in direct earnings and more than \$565 million in state and local taxes. Twenty-four airlines serve 83 non-stop domestic and 24 international destinations.



Public Records

Modernize the Public Records Act (PRA) so that cities can continue to provide open and transparent government services to our residents

Every day, local government officials ensure transparency in government and serve as stewards of public resources by effectively implementing the PRA. However, advances in technology and the increased volume and complexity of records requests are undermining the PRA. This act must be updated to reflect 21st century realities in order to fulfill its original purpose, provide government transparency, and make wise use of taxpayer dollars.

Cities ask the Legislature to:

- Permit cities to charge for providing complex digital data and electronic copies of public records, similar to charges for making a paper copy.
- Develop an alternative dispute resolution system that serves government agencies and requestors to quickly resolve disagreements without costly litigation.
- Designate technical and funding assistance by restoring funding to grant programs that help local governments.



Homelessness, Housing & Human Services

Enhance efforts to increase affordable housing, decrease homelessness, and improve a strained behavioral health system

Urban and rural cities throughout the state are grappling with increasing homeless populations, lack of affordable housing, and a poorly-funded mental health and substance abuse system. Cities are struggling to solve these issues with limited resources. Together with the state, counties, and nonprofit partners, we support efforts to develop new strategies that address the issues plaguing our human service, homeless support, and affordable housing systems.

Cities ask the Legislature to:

- Make the document recording fee permanent and increase the fee to expand investments in homelessness assistance.
- Invest another \$200 million in the Housing Trust Fund, the preeminent tool in the state to fund affordable housing construction.
- Create new local options to generate revenue for homelessness services and for affordable housing construction.
- Ensure full authority to allow the state to maximize federal Medicaid resources and provide additional resources for mental health and chemical dependency services.

In order for Washington State to be its best and attract the best, our 281 cities and towns must be strong.

- Cities are where more than 4.6 million people call home, and this number is growing quickly.
- Cities are where the majority of the state's revenues are generated, including \$1.3 billion in property taxes, and \$7.5 billion in sales tax.
- Cities contain the state's economic engines, where 69% of job-generating businesses are located.

more priorities on back

Contact:

Dave Williams

Director of Government Relations
davew@awcnet.org • 360.753.4137



Local Infrastructure

Revitalize key infrastructure assistance programs that support job creation, community health and safety, and quality of life

City infrastructure systems are a critical part of a larger network that serves and benefits the entire state. Diversion from programs that support basic local infrastructure means that communities cannot affordably maintain and secure new infrastructure.

Cities ask the Legislature to:

- Provide stable and reliable infrastructure assistance to help cities overcome the financial challenges of building and repairing local systems that support economic development and benefit the entire state.
- Commit to a proactive state partnership in key programs like the Public Works Trust Fund. If current programs are not sustainable, they need to be reformed.



Local Authority

Respect city authority to respond to local needs

With the Great Recession behind us, cities are looking for stable revenue to provide essential services to our growing population, such as public safety and infrastructure. City officials are elected and must have the authority to solve local challenges.

Cities ask the Legislature to:

- Respect cities' local authority for revenue, taxes, licensing, and regulation.
- Limit property tax revenue to inflation and population growth.



City-State Partnership

Preserve the city-state budget partnership

Over the last few years, the state has balanced its budget at the expense of cities. While we understand the fiscal challenges the Legislature faces, we cannot accept that sweeping critical funds from their intended uses is in the best interest of our state. AWC supports the Legislature in securing sufficient revenue to fund state programs and obligations, and therefore unilaterally eliminating or significantly reducing state funding to cities is not acceptable.

Cities ask the Legislature to:

- Maintain the city-state shared revenue partnership for funding key services.
- Provide adequate and sustainable funding for the Criminal Justice Training Commission to maintain high-quality statewide training for law enforcement personnel.
- Continue the current funding from local liquor revenue distributions to the Municipal Research and Services Center (MRSC), which provides vital support for local government performance.

For more detailed information on each of these priorities, issue briefs are available on our website.

www.awcnet.org/advocacy

Contact:

Dave Williams

Director of Government Relations
davew@awcnet.org • 360.753.4137

