

Linda

AMENDED

**AGENDA
REGULAR MEETING DES MOINES CITY COUNCIL
May 8, 2003 - 7:30 p.m.**

CALL TO ORDER - Mayor Steenrod

PLEDGE OF ALLEGIANCE

all 6 present

ROLL CALL

CORRESPONDENCE

order of business moved by Maggie per Council Rule 20 to sub after # 2 of New Business

COMMENTS FROM THE PUBLIC: At this time you are invited to comment on items that you wish to bring to Council's attention. Please sign in prior to the meeting and limit your comments to three minutes or less.

BOARD & COMMITTEE REPORTS

Pres. Bob Steedman
Richard Benjamin
PST

PRESIDING OFFICER'S REPORT

ADMINISTRATION REPORTS

CONSENT CALENDAR*

1. Motion is to approve the special and regular minutes of April 24, 2003.
2. Findings: Vouchers audited and certified by the auditing officer as required by RCW 42.24.080, and those expense reimbursement claims certified as required by RCW 42.24.090, have been recorded on a listing which has been made available to the City Council.

Motion: As of this date the Des Moines City Council, by unanimous vote, does approve for payment those vouchers and payroll transfers included in the above list and further described as follows:

Claim checks #85082 through #85260 & electronic fund transfers in the total amount of \$618,058.94

Payroll fund transfers in the total amount of \$339,108.30

3. Motion is to recognize the week of May 11, 2003 through May 17, 2003 as *National Police Week* and May 15, 2003, as *Police Memorial Day* in Des Moines.

*NOTE: Items on the Consent Calendar are either routine or have been previously discussed. Any item may be removed by a Councilmember.

OLD BUSINESS

1. Draft Resolution No. 03-088-B 2003 Waterland Festival

SUMMARY: The purpose of this item is to provide for the City Council's consideration, a new version of Draft Resolution No. 03-088-B, authorizing the Chamber of Commerce to conduct the 2003 Waterland Festival at the Des Moines Marina and Beach Park.

Motion (B) substituted

NEW BUSINESS

1. Draft Ordinance No. 03-116 Administrative Land Use Hearings - 1st Reading

SUMMARY: The purpose of the draft ordinance is to improve the expertise and efficiency of City administrative land use hearings.

cont to 22

2. Selection of City Delegate for 2003 AWC Annual Business Meeting

SUMMARY: The purpose of this item is to allow the City Council to choose up to three voting delegates to attend the Association of Washington Cities 2003 annual business meeting and vote on behalf of the City.

3. Determination of Finalists for Vacant, Unexpired Council Position #2

NEXT MEETING DATE - Regular Meeting May 22, 2003

ADJOURNMENT

CITY MANAGER'S FIRST DRAFT 04/30/03
MAYOR STEENROD'S SECOND DRAFT 5/6/03

DRAFT RESOLUTION NO. 03-088-B

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DES MOINES, WASHINGTON, authorizing the Greater Des Moines Chamber of Commerce to conduct its 2003 Waterland Festival and listing conditions under which such permission is granted.

WHEREAS, the City Council finds that the Waterland Festival, a continuation of an annual community event begun in 1919, enhances the quality of life for all residents of the City of Des Moines, and

WHEREAS, the Greater Des Moines Chamber of Commerce ("Chamber of Commerce") as sponsor of the event carries out all activities as a Chamber of Commerce function, and

WHEREAS, the City of Des Moines wishes to permit the Waterland activities of the Chamber of Commerce while at the same time being held harmless from any liability arising from the existence of such activities; now therefore,

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

Sec. 1. Permission to conduct the 2003 Waterland Festival during the period July 23, 2003 through July 27, 2003 is granted to the Chamber of Commerce, subject to the following conditions:

(1) That the Chamber of Commerce shall defend and hold the City of Des Moines harmless from any liability which may result from the conduct of the Waterland event or its activities.

(2) That the prime leadership of all Waterland committees shall be non-City personnel and that it be clearly understood that assistance by City personnel is advisory to the Chamber of Commerce.

(3) The Chamber of Commerce shall purchase liability insurance in the amount of two million dollars (\$2,000,000) and shall name the City of Des Moines as a named additional insured. Proof of such insurance must be delivered to the City ten (10) days prior to the event.

(4) The Chamber shall be permitted to erect such special signage as is appropriate in the thirty (30) days prior to and

during the event. The Chamber of Commerce must remove all such signage within ten (10) days after the final day of the Waterland Festival.

(5) Normal fees for conduct of a community event shall be waived where possible excepting those fees required by another governmental agency, provided the event subject to such permit or fee is fully sanctioned by the Chamber of Commerce and complies with all necessary requirements including health regulations.

(6) The Chamber of Commerce shall acknowledge in writing its responsibilities for the conduct of Waterland activities accepting such limitations as are contained in this resolution in addition to such limitations as may be imposed by the City Council or City Manager, including but not limited to:

(a) The City Manager is authorized to close the boat launch facility at the Des Moines Marina during the Waterland Festival for the purpose of public safety.

(b) The Chamber of Commerce agrees to take whatever measures are necessary to prevent damage to the Marina facility and to be responsible for any damage that may occur.

(c) The hours of operation of the festival shall be as follows:

11:00 a.m. to
~~((10:00)) 10:30~~
p.m. ~~((, with~~
~~fireworks display~~
~~immediately~~
~~following))~~ →

Wednesday, Thursday, Friday, and
Saturday

~~((11:00 a.m. to~~
~~9:00 p.m.))~~ →

~~((Thursday, Friday and~~
~~Saturday))~~

11:00 a.m. to
8:00 p.m. →

Sunday.

A Des Moines Police Department command officer will have the authority to close the festival down earlier should it be necessary following assessment of any security issues.

(d) ~~((There shall be no Waterland Pub or other beer garden.))~~ The Waterland Pub shall be closed at 9:30 p.m. on Wednesday, Thursday, Friday, and Saturday; and 7:00 p.m. on Sunday; or earlier at the discretion of a Des Moines Police Department command officer.

(e) The Chamber of Commerce will use all reasonable efforts to advertise the festival as a family-oriented community festival.

(f) All retail sales of food and merchandise will be subject to permission of the Chamber of Commerce and fees collected by the Chamber of Commerce by such licensing shall include a percentage for security services to be provided by the Des Moines police department.

(g) The Chamber of Commerce shall provide ten thousand dollars (\$10,000.00) towards police security, with the Chamber paying reserve officers and non-Des Moines officers directly from said ten thousand dollars (\$10,000.00) amount. Any remainder of the ten thousand dollar (\$10,000.00) sum not used towards reserve officers and non-Des Moines officers shall be paid directly to the City.

(h) The Chamber of Commerce shall be authorized to contract with a private business to regulate and charge for parking, which charge shall not exceed five dollars (\$5.00) per vehicle per visit.

(i) To enhance the security of the patrons of the festival, the Chamber of Commerce shall be authorized to fence the main festival grounds in the Marina, with entrance gates located at the north and south ends of the festival. The gates will be staffed by Chamber of Commerce personnel at all times. A general admission fee will be charged as follows:

General Admission	\$1.00
Seniors (62 and Over)	\$.50
Children (Under 12)	Free

(j) The Chamber of Commerce shall provide for a walking path ~~((outside the fenced))~~ through the festival grounds ((area along the north and west sides of the Marina in a manner to allow pedestrians to walk through the Marina area without

walking through the festival grounds)) prior to the festival opening each day. The walking path will not be available during festival hours for safety reasons.

Sec. 2. The City Manager is authorized, at his discretion, to grant permission to the Chamber of Commerce to use and occupy for the purpose of the Waterland Festival City facilities and property, including, but not limited to, the Des Moines Marina, City parks, and public rights-of-way.

Sec. 3. The City Manager is directed and authorized to issue to the Chamber of Commerce, without cost, a right-of-way permit for the Waterland parade. *if Chamber requests (C)*

Sec. 4. The City Manager is authorized to provide City assistance to the Waterland Festival, which may include, without limitation, services by the police, public works, parks, and marina departments. The City Manager shall provide a report to the City Council on services provided and costs thereof.

Sec. 5. Permission is granted for the Chamber of Commerce to utilize the official City of Des Moines logo in connection with the annual Waterland Festival.

ADOPTED BY the City Council of the City of Des Moines, Washington this ____ day of _____, 2003 and signed in authentication thereof this ____ day of _____, 2003.

M A Y O R

APPROVED AS TO FORM:

City Attorney

ATTEST:

City Clerk

AGENDA ITEM

BUSINESS OF THE CITY COUNCIL City of Des Moines, WA

SUBJECT: 2003 Waterland Festival

ATTACHMENTS:

City Attorney's First Draft of Resolution
No. 03-088
"Alternative Sec. 4"
"Alternative Sec. 5 and Sec. 6"
Cover Letter From Greater Des Moines
Chamber of Commerce
Plan of Festival Layout
Minutes of Chamber/Condo owners
meeting
Memo – Waterland Costs for 2002.

FOR AGENDA OF: May 1, 2003
DEPT. OF ORIGIN: Marina

DATE SUBMITTED: April 18, 2003

CLEARANCES:

[X] Marina

[X] Legal

APPROVED BY CITY MANAGER

FOR SUBMITTAL:

A. Purpose & Recommendation

The purpose of this presentation is to inform the City Council about the plan for this year's Waterland Festival and to present the Chamber of Commerce's request for the Council's approval for the use of City Property for the 2003 Festival.

Recommended Motion

"I move that the City Council adopt Resolution NO. 03-088 authorizing the Greater Des Moines Chamber of Commerce to conduct its 2003 Waterland Festival and listing conditions under which such permission is granted"

B. Background

Each year in July the Greater Des Moines Chamber of Commerce conducts the Waterland Festival and Parade. The Festival takes place on City owned property in the Marina and the Beach Park and the Parade takes place on City streets in the downtown area. To conduct the festival, the Chamber must get permission from the City Council in the form of a resolution.

C. Discussion

Draft Resolution NO. 03-088 is essentially the same as last year's resolution. The only difference is a change in the hours of operation for the festival. This year the hours of operation are listed in the resolution as 11:00 a.m. to 12:00 midnight on Wednesday, July 23rd, 11:00 a.m. to 11:00 p.m. on the following Thursday, Friday and Saturday, and 11:00 a.m. to 8:00 p.m. on Sunday, July 27th.

This year, the Chamber is planning to return to the layout used for the 2001 Festival. The food vendors will be located in the central parking lot east of the boat launch, and the carnival rides will be located in the north parking lot. The Arts & Crafts will be located in the Beach Park, in front of the Rotary Hole-in-One golf island. The parking lot will be managed as before, with a \$5.00 fee for parking in the general parking area. The north end of the lot will be reserved for Marina tenant parking.

C. Alternatives

The Council has the option of adopting Draft Resolution NO. 03-088 as submitted or adding language to the resolution that responds to the concerns expressed by some Council Members about the Festival's cost to the City. The Staff has included two possible changes to the Resolution in the packet for purposes of discussion. The attachment labeled "Alternative Sec. 4" would add language to Sec. 4 of the Draft Resolution that would require the Chamber to reimburse the City for all costs of City Services except those associated with the parade. The attachment labeled "Alternative Sec. 5 and Sec. 6" would add language to the Draft Resolution that would require the Chamber to disclose the financial details of the Festival and all other Chamber operations. In this alternative, Sec. 6 is the former Sec. 5, with the same wording.

D. Financial Impact

Last year the Council directed the staff to track and report the costs incurred by the City for helping to prepare for and stage the Waterland Festival. Those costs were summarized and reported to the Council last year. (See attached memo). Generally, the City incurred indirect costs of about \$14,000 and direct costs of about \$35,500. Indirect costs are those regularly scheduled hours that City employees spent facilitating the Festival. The City would have paid for these hours anyway. Direct costs are those over-time hours that the employees spent working on the Festival. Typically, these are hours spent by the Police Department providing security for the Festival. The total cost of security is driven by the number of police reserves that are available. The Police command staff tries to use as many reserve hours as possible, because the Chamber budgets \$10,000 for security and pays the reserves directly. If any of the budgeted funds are left after paying the reserves, the balance is given to the City. Off-duty officers provide the remainder of the hours needed for security, usually on over-time. Obviously, it is an advantage to the Chamber and the City to use as much reserve officer time as possible. There was also a small amount, (less than \$500), of equipment and material cost reported in 2002.

There were some revenue impacts for the Marina operation, but they are harder to quantify. As in the past, the public launch was shut down for the week of the Festival, and there was a corresponding loss of revenue. This loss was offset somewhat by increases in fuel sales. Guest moorage revenue was down for that week also, but it was down all season last year.

Some Council Members have expressed concerns about the costs to the City for the Festival. The staff has met with the Chamber to discuss some options for reducing those costs. One option would be to reimburse the City for more of its direct expenses. Another option would be to reduce the indirect costs. Unfortunately, most of the direct costs are related to security, which

is the responsibility of the Police Department and not controllable by the Chamber. Some of the indirect cost is related to clean up in the Marina and the downtown area. If the Chamber could assume those duties, indirect costs could be lowered significantly, although that would not result in a direct savings to the City, because those employees would be working anyway. Some of the indirect costs are related to the parade. The parks and public works crews have to sign and barricade the parade route. For liability reasons, these are duties that are not easily assumed by the Chamber.

E. Recommendation

F. Concurrence

CITY ATTORNEY'S FIRST DRAFT 03/11/03

DRAFT RESOLUTION NO. 03-088

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DES MOINES, WASHINGTON, authorizing the Greater Des Moines Chamber of Commerce to conduct its 2003 Waterland Festival and listing conditions under which such permission is granted.

WHEREAS, the City Council finds that the Waterland Festival, a continuation of an annual community event begun in 1919, enhances the quality of life for all residents of the City of Des Moines, and

WHEREAS, the Greater Des Moines Chamber of Commerce ("Chamber of Commerce") as sponsor of the event carries out all activities as a Chamber of Commerce function, and

WHEREAS, the City of Des Moines wishes to permit the Waterland activities of the Chamber of Commerce while at the same time being held harmless from any liability arising from the existence of such activities; now therefore,

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

Sec. 1. Permission to conduct the 2003 Waterland Festival during the period July 23, 2003 through July 27, 2002 is granted to the Chamber of Commerce, subject to the following conditions:

(1) That the Chamber of Commerce shall defend and hold the City of Des Moines harmless from any liability which may result from the conduct of the Waterland event or its activities.

(2) That the prime leadership of all Waterland committees shall be non-City personnel and that it be clearly understood that assistance by City personnel is advisory to the Chamber of Commerce.

(3) The Chamber of Commerce shall purchase liability insurance in the amount of two million dollars (\$2,000,000) and shall name the City of Des Moines as a named additional insured. Proof of such insurance must be delivered to the City ten (10) days prior to the event.

(4) The Chamber shall be permitted to erect such special signage as is appropriate in the thirty (30) days prior to and during the event. The Chamber of Commerce must remove all such signage within ten (10) days after the final day of the Waterland Festival.

(5) Normal fees for conduct of a community event shall be waived where possible excepting those fees required by another governmental agency, provided the event subject to such permit or fee is fully sanctioned by the Chamber of Commerce and complies with all necessary requirements including health regulations.

(6) The Chamber of Commerce shall acknowledge in writing its responsibilities for the conduct of Waterland activities accepting such limitations as are contained in this resolution in addition to such limitations as may be imposed by the City Council or City Manager, including but not limited to:

(a) The City Manager is authorized to close the boat launch facility at the Des Moines Marina during the Waterland Festival for the purpose of public safety

(b) The Chamber of Commerce agrees to take whatever measures are necessary to prevent damage to the Marina facility and to be responsible for any damage which may occur.

(c) The hours of operation of the festival shall be as follows:

10 ³⁰	11:00 a.m. to 12:00 midnight	⇒	Wednesday
10 ³⁰	11:00 a.m. to 11:00 p.m.	⇒	Thursday, Friday and Saturday
	11:00 a.m. to 8:00 p.m.	⇒	Sunday.

A Des Moines Police Department command officer will have the authority to close the festival down earlier should it be necessary following assessment of any security issues. *Special Use*

(d) The Waterland Pub shall be closed at 11:30 p.m. on Wednesday; 10:30 p.m. on Thursday; Friday and Saturday; and 7:00

p.m. on Sunday; or earlier at the discretion of a Des Moines Police Department command officer.

(e) The Chamber of Commerce will use all reasonable efforts to advertise the festival as a family-oriented community festival.

(f) All retail sales of food and merchandise will be subject to permission of the Chamber of Commerce and fees collected by the Chamber of Commerce by such licensing shall include a percentage for security services to be provided by the Des Moines police department.

(g) The Chamber of Commerce shall pay such sums for security as are determined by the City Manager, based on projected police services, which shall include funds collected by the Chamber from the carnival operator.

(h) The Chamber of Commerce shall be authorized to contract with a private business to regulate and charge for parking, which charge shall not exceed five dollars (\$5.00) per vehicle per visit.

(i) To enhance the security of the patrons of the festival, the Chamber of Commerce shall be authorized to fence the main festival grounds in the Marina, with entrance gates located at the north and south ends of the festival. The gates will be staffed by Chamber of Commerce personnel at all times. A general admission fee will be charged as follows:

add →

General Admission	\$1.00
Seniors (62 and Over)	\$.50
Children (Under 12)	Free

(5)

Sec. 2. The City Manager is authorized, at his discretion, to grant permission to the Chamber of Commerce to use and occupy for the purpose of the Waterland Festival City facilities and property, including, but not limited to, the Des Moines Marina, City parks, and public rights-of-way.

Sec. 3. The City Manager is directed and authorized to issue to the Chamber of Commerce, without cost, a right-of-way permit for the Waterland parade.

add a provision providing a permit or providing a detailed financial statement of income & expenses covering the Waterland Festival

Resolution No. ____
Page 4 of ____

Sec. 4. The City Manager is authorized to provide City assistance to the Waterland Festival, which may include, without limitation, services by the police, public works, parks, and marina departments. The City Manager shall provide a report to the City Council on services provided and costs thereof.

Sec. 5. Permission is granted for the Chamber of Commerce to utilize the official City of Des Moines logo in connection with the annual Waterland Festival.

ADOPTED BY the City Council of the City of Des Moines, Washington this ____ day of _____, 2003 and signed in authentication thereof this ____ day of _____, 2003.

M A Y O R

APPROVED AS TO FORM:

Acting City Attorney

ATTEST:

City Clerk

DRAFTRES/03-088

ALTERNATIVE SEC. 4

Sec. 4. The City Manager is authorized to provide City assistance to the Waterland Festival, which may include, without limitation, services by the police, public works, parks, and marina departments. The City Manager shall provide a report to the City Council on services provided and costs thereof. The Chamber of Commerce shall reimburse the City of Des Moines for the costs of the City services provided in connection with the Waterland Festival. [except for those services provided in connection with the Waterland Parade.]

ALTERNATIVE SEC. 5 AND SEC. 6

Sec. 5. To ensure that the expenditure of City funds in support of the Waterland Festival is in compliance with the requirements of the Washington State Constitution prohibiting gifts of public funds, the Chamber of Commerce shall, within sixty (60) days after close of the Waterland Festival, provide the City of Des Moines with a complete accounting of the revenues and expenses of the Festival; and shall, within sixty (60) days after close of the Chamber of Commerce fiscal year, provide the City of Des Moines with a complete accounting of the overall revenues and expenses of the Chamber of Commerce.

Sec. 6. Permission is granted for the Chamber of Commerce to utilize the official City of Des Moines logo in connection with the annual Waterland Festival.

ADOPTED BY the City Council of the City of Des Moines, Washington this ____ day of _____, 2003 and signed in authentication thereof this ____ day of _____, 2003.

M A Y O R

APPROVED AS TO FORM:

Acting City Attorney

ATTEST:

City Clerk



April 18, 2003

City Council Members
City of Des Moines
21630 11th Avenue South, Suite A
Des Moines, Washington 98198

Re: Waterland Festival Resolution

Dear Council Members:

We respectfully submit herein our Resolution to the City of Des Moines for your consideration, support and approval.

Enclosed please find a diagram detailing the marina floor layout and the proposed changes to the Waterland Festival floor plan. In an effort to best serve the City, community, and our vendors we propose the following changes to last years program.

Arts & Craft Site Located outside the North entrance, partnering in the same location as the Rotary "Hole in One" fundraiser.

Benefit: The Arts & Crafts vendors will have increased visibility and traffic to their site. Additionally, "Hole in One" and the Arts & Crafts fair will compliment each other.

Pub & Eatery: Will be set up on the dock, North of the Harbormaster office extending out to the curb.

Benefit: Still a prime location on the waterfront overlooking the boat moorage, in view of the entertainment stage and away from the entrances.

Carnival Rides: Will be staged in the North and Northwest parking lot area of the marina.

Benefit: The large carnival rides will be located to the far west with the carnival game booths along the east. This will reduce the noise level affecting the condominium residents.

Entertainment Stage: The stage will be erected in front of the Harbormaster office in the parking lot on the Northwest diagonal facing the Pub & Eatery.

Benefit: This location will protrude the noise away from the condominium residents, yet will still be in a prime location to entertain the audience.

Traffic Management Issues:

1. All vendors will enter and exit from the South parking lot.
Benefit: Reduce the congestion and noise.
2. In order to expedite crowd access, there will be two ticket booths located at the North parking lot entrance and one on the South entrance on Wednesday night. One of the North booths will be for exact change and prepaid tickets. Ticket booths will be promptly removed at the end of the Festival.
Benefit: Facilitate crowd entrances on opening night; and reduce teardown time at closure.
3. A shuttle will be available to transport patrons from Highline Community College parking lot to the Festival. Additional emphasis will be placed on advertising this service.
Benefit: Alleviate traffic congestion and ease the management of traffic on the marina floor parking.
4. Condo residence access lane will be provided and limited to their use and that of official vehicles.
Benefit: 24-Hour access to the residents without the inconvenience of waiting in line. Facilitate any potential emergency rescue to the residents.

We have established a community volunteer Waterland Committee (see enclosed organization chart) to assist in the successful management of the Festival. The specific issues addressed in this letter will be assigned to the appropriate chair representative who will have full authority to carry them through.

As sponsors of the Waterland Festival, we at the Chamber of Commerce too have felt the impact of our economy. Living in the beautiful Pacific Northwest we absorb the risk that our Festival may be rained out; thus suffering financial reproactions. Naturally, we are sensitive to the City's investment of their support of this event. As in any endeavor, we must exercise good business practices. The Chamber of Commerce has graciously accepted the support of our community organizations without question or input as to scheduling, supervision or management. We have reviewed the costs reported by the City personnel however it did not include a pre-Festival projected cost of service forecast and a comparison thereof. With the added fencing in 2002 and the Police Department's report that no unusual activity occurred, we too question the validity of the scope of security provided. Perhaps a full review of this process should be discussed. We want to minimize any financial burden the Festival could pose on the City; it's citizens or the

Chamber. So the only possible solution is for all parties involved to meet and discuss the financial impact of the Festival and how we can reduce the operating costs.

In summary, we all know what is best...the Waterland Festival is good for our community. The only question is, "can we work together to make it a success?" The Chamber of Commerce and Waterland Committee believe we can! Open communication, community participation and teamwork are the key.

We respectfully request that you vote "yes" to the Waterland Festival on April 24th with a joint commitment that we will meet to address the financial impact and implementation of a plan for success.

Respectfully yours,

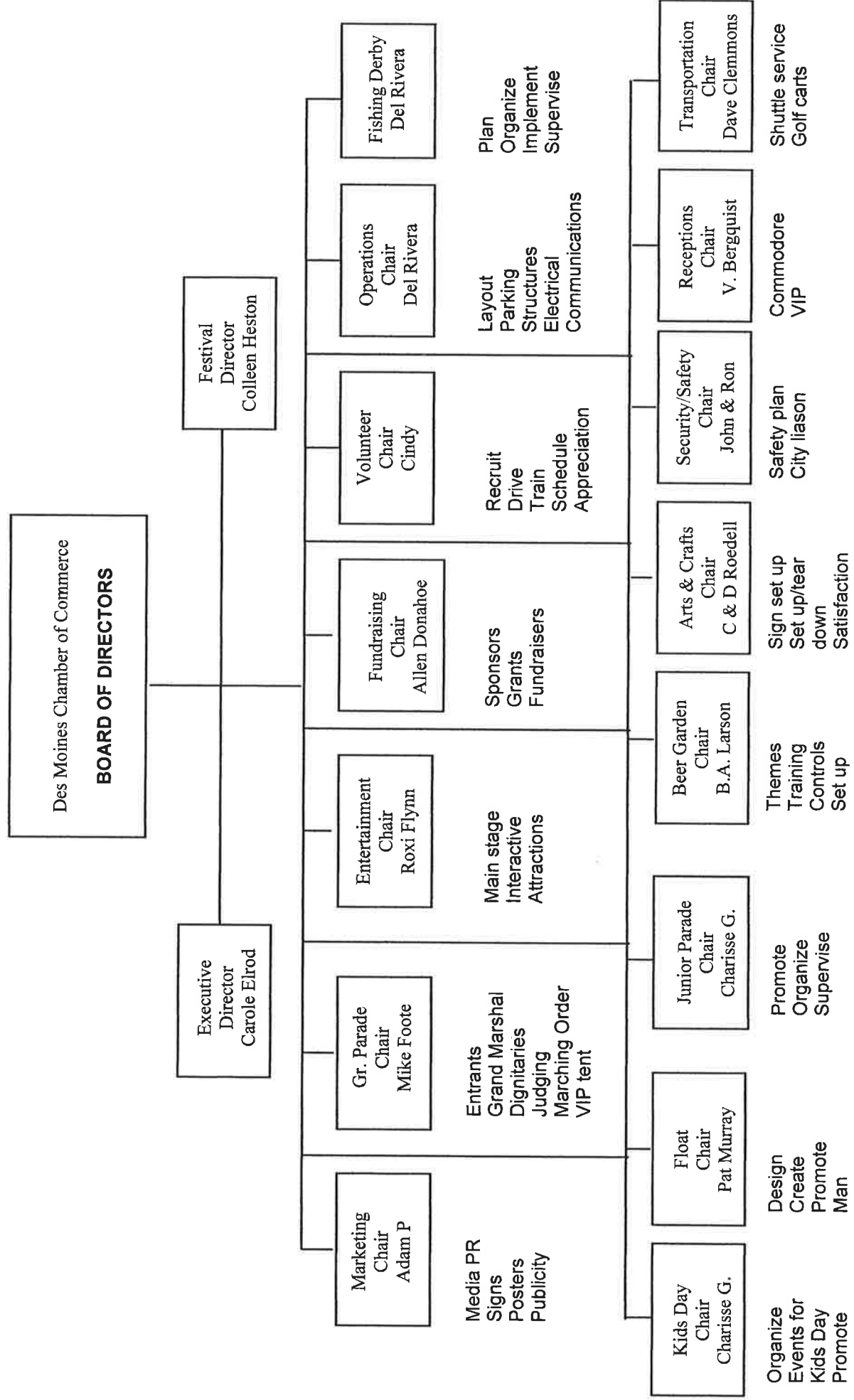
DES MOINES CHAMBER OF COMMERCE

A handwritten signature in cursive script that reads "Carole Elrod".

Carole Elrod
Executive Director

Enclosures

WATERLAND FESTIVAL COMMITTEE ORGANIZATION



WATERLAND LAYOUT-DESMOINES MARINA
1995 WATERLAND FESTIVAL

Condo's

1" = 50'

DRY CLAY
GATE

DRY CLAY
GATE

RESTAURANT

BARBERS

POOL AND
TABLE SITE

GATE

DRY STORAGE

DRY STORAGE

Commercial Vendors

Commercial Vendors

STAGE

MARINA OFFICE

Pub & Eatery

Pub & Eatery

Food Vendors

Carnival

CRASH GATE

CAD FILE NAME
100FE107.DWG

COUNCIL - FYI

City of DesMoines
21630 11th aver so
DesMoines Washington 98198

April 14th 2003

Attn: City manager/City of DesMoines Council

Re: Waterland Festival yearly Notice of Application

To whom it may concern:

As the presiding officer of the DesMoines chamber of commerce representing the DesMoines business district for over 50 years and sponsors of the annual city of DesMoines Waterland festival I am formally requesting council approval for use of the DesMoines marina for the dates of July 23rd thru July 27th, marine view Dr on Sunday July 27th for the annual waterland grand parade and of the 2003 waterland festival and resolution 03-088 as offered to the chamber by the city attorney on 03/11/03 including resolution revisions as agreed.

The dates of July 23rd thru July 27th are actual festival operation dates with the normal time (approximately 2 to 3 days) pre festival and post festival for set up and takes down of festival carnival.

In lue of certain concerns expressed by the condominium owners located on and around the marina floor I have appointed a chamber/ condominium liaison (Ms. Arlene Knight, a condo owner) to represent the condominiums residents concerns and requested the representative to bring these concerns to a meeting on wed the 8th of April and discuss these potential concerns arising from any potential impacts to surrounding residents.

The meeting was held at the DesMoines police dept and attended by members of the chamber and the condominium appointee.

All parties involved approved the festival layout and agreed that the changes agreed to by the parties involved would be acceptable to the residents.

The chamber realizes the financial impacts that events such as the waterland festival, haunted house, Fourth of July fireworks, 5 k run, 3 on 3-basketball tournament, and other city of DesMoines events may have on its citizens and taxpayers. We respectfully submit that the investment by our taxpayers regarding community offered events regardless of the sponsoring group are looked upon favorably by the council and that our taxpayers surely would have no problem with the city assisting the chamber and the many waterland volunteers in the presentation of these events and other events in our community and the greater DesMoines area, as has been the practice of our city for the last several decades.

RECEIVED
03 APR 16 PM 1:35
CITY OF DES MOINES

Copy: Corbett
Joe
Linda
Patrice
John O.

Any of the above listed events and their sponsors will remind you of the importance of offering our voters, taxpayers and citizens including their family and friends in the surrounding communities a wide variety of events to enjoy throughout the year.

The loss of the annual waterland festival (a community event sponsored by the Des Moines chamber of commerce for over 30 years) would be a terrible loss to not only our community and our citizens but to the surrounding communities as well.

This annual "Seafair sponsored waterland festival" has attracted approximately 1.5 million people to our community and our business district over the last several decades and we respectfully submit that our taxpayers and citizens would be greatly disappointed in our elected officials and city staff if our community festival were discontinued.

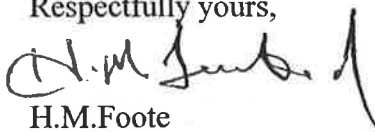
The chamber like the other event sponsors mentioned above are attempting to give something positive for our community to enjoy and I am sure that any of the above event sponsors would agree that the accountability question should be of concern to us all regardless of the event sponsor or other matters involving our taxpayers funds.

The chamber encourages an honest accounting of all events and financial impacts involving our taxpayer's dollars and would be interested in meeting with city staff to discuss any differences and concerns regarding taxpayer's money being expended to provide assistance to provide the annual waterland festival to our citizens.

I am confident that the chamber will be held to no more or no less of a standard than others and that the accountability question will be fairly administered to sponsors of all community events.

The chamber looks forward to working with the city staff and employees to again provide a successful Waterland event for all to enjoy.

Respectfully yours,



H.M. Foote

2003 President Greater Des Moines chamber of commerce

cc: Washington news council
Tacoma news tribune
South county journal
Seattle times
Seattle PI

Robinson newspaper
Komo television
King television
Channel 13 television

April 14, 2003

**TO: Mike Foote, President
Des Moines Chamber of Commerce**

**FM: Arlene Knight and Earline Byers
Condominium Resident Representatives**

RE: Pre-Waterland – 2003 Meeting, April 09, 2003

Attached are the transcribed notes of our Pre-Waterland meeting, April 9th, 2003, as taken by Jeannette Jones, who has served as secretary to South Shores Board of Directors for the last three years. It is our understanding you intend to furnish council with copies of our condominium resident's Agenda that was distributed and used for the purpose of this meeting. We think it is appropriate, that you attach a copy of these transcribed notes for council reference.

The meeting went well. We believe the agreed changes will benefit our community's Waterland Festival. We did forget to set an early August date for our Post-Waterland meeting reports therefore we propose a meeting at the same place August 19th, 2003 at 2:00pm.

WATERLAND 2003

A meeting was held between the Chamber of Commerce and Representatives Condominium Residents regarding Waterland 2003 on April 9, 2003 at 2:00p.m. at the Des Moines Police Meeting Room. Present were Mike Foote, President of the Des Moines Chamber of Commerce, Colleen Heston, Treasurer of the Chamber of Commerce and Waterland Director, Carole Elrod, Executive Director of the Chamber of Commerce, Earline Byers and Arlene Knight representing the condominium residents. Minutes were recorded by Jeanette Jones.

The following conditions for the Waterland Festival 2003 were discussed and agreed upon by all participants:

The purpose of the meeting was to voice concerns the condominium residents have regarding Waterland. An agenda that outlined those concerns was distributed to all participants. Mike Foote advised that he is glad that Arlene Knight would be a liaison between the Chamber and condominium residents. It was agreed that Earline Byers is the alternate contact in the event Arlene is unavailable. We will exchange telephone numbers for contact now and during the festival and likewise his office would advise our representatives of any significant deviation from agreed plans

One of the first concerns of the residents was the size, location and noise of Waterland and the carnival in particular last year. Mike informed us that he too wanted the layout of Waterland 2003 to impact everyone the least amount. Last year large carnival rides were abutted right up to the front of the condominiums, with a "Barker" having a continuous high noise level. After discussion, it was agreed by all that the entire Waterland layout would go back to the way it was set up two years ago. The carnival rides will occupy the north and northwest parking lot area of the marina. The beer garden would be set up against the embankment next to the "Quartermaster" property. Also, the condominium owners and Mike Foote voiced concern with accompanying sound from the stage coming right into their homes. It was suggested and agreed upon that the stage would face the northwest and as much west as possible to deflect sound intrusion. A drawing of the agreed layout of the festival will be provided to condominium representatives present at the meeting for approval prior to presentation to council.

It was agreed that due to the new layout last year, all of the vendors had to come in and out from Cliff Avenue, but returning to the former layout of two years ago, all vendors will come in and out of the South parking lot, which will reduce much of the congestion and noise to condominium residents within that area.

Last year, many of employees of the carnival used the "Quartermaster" property. This property was left with considerable debris day and night. It was felt that this property should be fenced and no one should be able to go in there. If it is used for carnival purposes, it should only be for carnival and vendor storage purposes and it should only be for trucks not needing refrigeration that would generate noise and disruption to neighboring residents. The Chamber will have volunteers clean up any debris on this property periodically during Waterland.

Arlene Knight advised that the residents of the Mariner and Cliff House condominiums are very concerned about access to their homes. They must have 24-hour access without waiting in line with others. With the exception of police, fire and official vehicles, The Cliff House, the Mariner condominiums and the Wasson resident should be the ONLY users of the north marina entrance via Chamber pass authority. It was agreed that two resident passes for each unit be given to the owners, to-wit: 28 passes for the Cliff House and 18 passes for the Mariner.

Last year's trial of later hours resulted in noise up until 2:00 a.m. at the Marina and then starting again at 5:00 a.m. for the street sweeper. This allowed only a 3-hour window (from 2:00 a.m. to 5:00 a.m.) for quiet time at condo resident homes. Instead of closing at midnight, it was suggested and agreed upon by the Chamber that the following hours would apply:

Opening Night – Wednesday (Fireworks) –	Close at Midnight
	Beer Garden – 11:30 p.m.
Thursday through Saturday -	Close at 11:00 P.M.
	Beer Garden – 10:30 p.m.
Sunday -	Close at 8:00 P.M.
	Beer Garden – 7:30 p.m.

Mike Foote advised that there would again be a public admission fee to the festival and related fencing of the festival grounds. In order to expedite crowd access, there will be two ticket booths at the North parking lot. One booth will be for exact change. There will also be a ticket booth and entrance at the South parking lot. This should aid in the congestion at the entrances of the festival. Admission charge will be \$1.00 for adults, \$.50 for seniors, and everyone under 12 years of age free.

The condominium owners brought to the Chamber's attention some other related general Waterland concerns for their consideration that are not related directly to residents' impact. It was suggested that these should be visited and addressed by the Harbor Master as it relates to the Marina and Chamber officials as it relates to the Festival:

- 1. Ticket booths not removed for five days.**
- 2. Public boat launch closed for eleven days not the agreed 5 festival days.**
- 3. Breakers Restaurant closed impacted by lack of customer parking.**
- 4. Classic Yachts impacted by lack of customer parking and Parks Department 5K run.**

In summary it was agreed this meeting produced positive results and provides the foundation to continue this line of communication that allows us to work together for the good of the community in future events and festivals. The post Waterland meeting will be held at the same location in early August.

Memo

To: City Council

Via: Tony Piasecki, City Manager

From: Police Department, Department of Parks and Recreation,
Marina, Public Works Department

Date: 04/15/2003

Re: Waterland Costs for 2002

Costs

The City Council directed the staff to track and report the costs incurred by the City for helping prepare for and stage the Waterland festival. Employees were instructed to record both regular and overtime hours spent on the Festival and report any equipment used. The Finance Department set up a system to capture and record the information and prepared the attached spreadsheet showing the total labor costs for the Festival. The labor figures are reported in two columns. The column titled "Total Regular Earnings and Benefits" reports the regularly scheduled work hours that employees spent facilitating the Festival. These costs are reported separately because the City would have paid for these hours anyway, but the employee would have been doing something else. The column titled "Overtime Earnings and Benefits" reports the overtime hours that employees spent working on the Festival. These are costs incurred directly as a result of the Festival. The staff also reported mileage for vehicles used to support Waterland and a small amount of materials used at the Festival like garbage bags and paint. The electricity used by the vendors was recorded by the Marina staff and billed directly to the Chamber of Commerce. The total costs are summarized In Table 1 below.

Table 1

Total Regular Earnings and Benefits	\$14,052.52 -
Total Overtime Earnings and Benefits	35,573.17
Vehicle Mileage -675 miles @ .365 cents/mile	246.38
Materials	<u>228.56</u>
Total	\$50,100.63

Operations

Marina

This year the north parking lot and the public hoists were closed from 8:00 p.m. on Saturday, July 20 to noon on Monday, July 29. Usually, the facilities are closed down on the Sunday night before Waterland, but this year the 3-on-3 Basketball Tournament was held on Sunday, July 21st, instead of earlier in June. Impacts on service revenues, (launching, fuel sales and guest moorage) were estimated by subtracting the service revenues during the Waterland week from an average of the revenues from the week before and the week after the Festival. The revenue impacts are shown in Table 2. The 3-on-3 Basketball Tournament sponsored by the Recreation Department was held in the North Lot on Sunday, July 20th so logically, part of the revenue loss must be allocated to that event. The staff estimates that amount to be one seventh of the total or about \$550.

Table 2

	<u>Week Before</u>	<u>Week After</u>	<u>Average</u>	<u>Week During</u>	<u>Gain/ Loss</u>
Fuel	\$16,881	\$16,694	\$16,787	\$19,573	\$2,786
Launch	\$4,435	\$3,525	\$3,980	\$0	(\$3,980)
Guest Moorage	\$6,196	\$6,491	\$6,344	\$4,450	<u>(\$1,894)</u>
Estimated Gain(Loss)					(\$3,088)

Police Department

The payroll costs for full-time police officers and their supervisors are included in the totals in Table 1. Reserve officers from Des Moines, Fife, Normandy Park and Pacific worked 486.5 hours at a cost of \$15 per hour (\$7,798 total). These officers were paid directly by the Chamber of Commerce. The Chamber remitted a check to the City for \$2,202, which is the amount left of their \$10,000 security budget after paying the reserve officers.

Other Police-related Waterland Expenses:

Use of Vehicles: Numerous police vehicles were used to facilitate police operations during Waterland. Mileage usage was tracked and a total of 674.4 miles were logged to the various vehicles. (These costs are included in Table 1)

Other police assets were used during Waterland but no specific costs were attributed or charged. These include the use of the mobile police command precinct for a period of six days and the use of six police bikes. Some equipment was purchased such as portable radio batteries and minor bike repairs made, however, these purchases would have needed to be made anyway. The timing of these purchases is normally done just prior to Waterland. We do have a problem with having to borrow portable police radios. (This year we managed to borrow 15 from three different police departments.) Normally we would have to rent them at

\$10.00 per day per radio. Purchase of the radios would be approximately \$1,600 per unit. Obviously, we cannot count on always being able to borrow the radios.

Department	Last Name	First Name	Type of Earnings	Hrs	Earnings	P L1	P L2	Pension 1.32% 0.22% 2.86%	ICMA 401 (A) 5.00% 6.52%	ICMA 457 Non - Guilt 1.52%	L&L Amount	Un-employment 0.50%	Medicare 1.45%	Total Annual Benefits	Total Benefits & Regular Earnings	Total Benefits & O.T. Earnings	
001160	Watson	Peggy A	Reg	1	\$ 27.63	\$	\$	\$ 0.36	\$	\$ 1.38	\$ 0.42	\$ 0.05	\$ 0.14	\$ 0.40	\$ 2.75	\$ 30.38	
001160	Wright	Jennifer E.	Reg	5	\$ 94.24	\$	\$	\$ 1.24	\$	\$ 4.71	\$ 1.43	\$ 0.25	\$ 0.47	\$ 1.37	\$ 9.47	\$ 103.71	
001340	O'Leary	John E.	Reg	26	\$ 1,083.71	\$	\$	\$ 30.99	\$	\$ 70.66	\$ -	\$ 2.75	\$ 5.42	\$ 15.71	\$ 125.53	\$ 1,209.24	
001340	Tucker	Kevin Raymond	Reg	0.5	\$ 20.84	\$	\$	\$ 0.60	\$	\$ 1.36	\$ -	\$ 0.05	\$ 0.10	\$ 0.30	\$ 2.41	\$ 23.25	
001350	Bohl	Robert A	Reg	4	\$ 124.08	\$	\$	\$ 3.55	\$	\$ 8.09	\$ -	\$ 0.42	\$ 0.62	\$ 1.80	\$ 14.48	\$ 138.56	
001350	Bohl	Robert A	O.T.	23	\$ 1,070.22	\$	\$	\$ 30.61	\$	\$ 69.78	\$ -	\$ 2.43	\$ 5.35	\$ 15.52	\$ 123.69	\$ 1,193.91	
001350	Collins Jr	Robert Hale	Reg	4	\$ 141.62	\$	\$	\$ 4.05	\$	\$ 9.23	\$ -	\$ 0.42	\$ 0.71	\$ 2.05	\$ 16.47	\$ 158.09	
001350	Collins Jr	Robert Hale	O.T.	20	\$ 1,062.14	\$	\$	\$ 30.38	\$	\$ 69.25	\$ -	\$ 2.11	\$ 5.31	\$ 15.40	\$ 122.45	\$ 1,184.59	
001350	Stuth	Ross Allen	Reg	4	\$ 124.08	\$	\$	\$ 3.55	\$	\$ 8.09	\$ -	\$ 0.42	\$ 0.62	\$ 1.80	\$ 14.48	\$ 138.56	
001350	Stuth	Ross Allen	O.T.	19	\$ 884.10	\$	\$	\$ 25.29	\$	\$ 57.64	\$ -	\$ 2.01	\$ 4.42	\$ 12.82	\$ 102.18	\$ 986.28	
001350	Thomas	Michael A	O.T.	34	\$ 1,605.21	\$	\$	\$ 45.91	\$	\$ 104.66	\$ -	\$ 3.59	\$ 8.03	\$ 23.28	\$ 185.46	\$ 1,790.67	
001360	Arico III	Dominic	O.T.	6.5	\$ 191.70	\$	\$	\$ 5.48	\$	\$ 12.50	\$ -	\$ 0.69	\$ 0.96	\$ 2.78	\$ 22.34	\$ 214.11	
001360	Baldwin	Barron T.	O.T.	25	\$ 774.06	\$	\$	\$ 22.14	\$	\$ 50.47	\$ -	\$ 2.64	\$ 3.87	\$ 11.22	\$ 90.41	\$ 864.40	
001360	Bell	David Carl	O.T.	22	\$ 1,168.35	\$	\$	\$ 33.41	\$	\$ 76.18	\$ -	\$ 2.33	\$ 5.84	\$ 16.94	\$ 134.70	\$ 1,303.05	
001360	Campbell	Craig C	O.T.	25	\$ 1,180.31	\$	\$	\$ 33.76	\$	\$ 76.96	\$ -	\$ 2.64	\$ 5.90	\$ 17.11	\$ 136.37	\$ 1,316.68	
001360	Celis	Victor M	O.T.	7	\$ 288.21	\$	\$	\$ 8.24	\$	\$ 18.79	\$ -	\$ 0.74	\$ 1.44	\$ 4.18	\$ 33.39	\$ 321.60	
001360	Chaney	Michael A	O.T.	24	\$ 1,274.57	L1	\$	\$ 2.80	\$	\$ 83.10	\$ -	\$ -	\$ 6.37	\$ 18.48	\$ 110.76	\$ 1,385.33	
001360	Gallagher	Randall T	O.T.	26	\$ 1,070.51	\$	\$	\$ 30.62	\$	\$ 69.80	\$ -	\$ 2.75	\$ 5.35	\$ 15.52	\$ 124.04	\$ 1,194.55	
001360	Graddon	Michael R.	O.T.	23	\$ 712.13	\$	\$	\$ 20.37	\$	\$ 46.43	\$ -	\$ 2.43	\$ 3.56	\$ 10.33	\$ 83.12	\$ 795.25	
001360	Guest	Paul F	O.T.	10.5	\$ 476.66	\$	\$	\$ 13.63	\$	\$ 31.08	\$ -	\$ 1.11	\$ 2.38	\$ 6.91	\$ 55.12	\$ 531.78	
001360	Hamilton	David S.	O.T.	29	\$ 889.46	\$	\$	\$ 25.44	\$	\$ 57.99	\$ -	\$ 3.07	\$ 4.45	\$ 12.90	\$ 103.84	\$ 993.30	
001360	Henry	Matthew A	O.T.	23	\$ 1,044.12	\$	\$	\$ 29.86	\$	\$ 68.08	\$ -	\$ 2.43	\$ 5.22	\$ 15.14	\$ 120.73	\$ 1,164.85	
001360	Hollis	Robert K.	O.T.	27	\$ 796.26	\$	\$	\$ 22.77	\$	\$ 51.92	\$ -	\$ 2.85	\$ 3.98	\$ 11.55	\$ 93.07	\$ 889.33	
001360	Jacobowitz	George B	O.T.	6	\$ 272.39	\$	\$	\$ 7.79	\$	\$ 17.76	\$ -	\$ 0.63	\$ 1.36	\$ 3.95	\$ 31.50	\$ 303.89	
001360	Jenkins	Douglas Paul	O.T.	8	\$ 433.35	\$	\$	\$ 12.39	\$	\$ 28.25	\$ -	\$ 0.85	\$ 2.17	\$ 6.28	\$ 49.94	\$ 483.29	
001360	Meissner	Michael V.	O.T.	10	\$ 294.92	\$	\$	\$ 8.43	\$	\$ 19.23	\$ -	\$ 1.06	\$ 1.47	\$ 4.28	\$ 34.47	\$ 329.39	
001360	Montgomery	Kevin S.	O.T.	22	\$ 837.51	\$	\$	\$ 23.95	\$	\$ 54.61	\$ -	\$ 2.33	\$ 4.19	\$ 12.14	\$ 97.22	\$ 934.73	
001360	Ochart	Edvin	O.T.	13	\$ 475.86	\$	\$	\$ 13.61	\$	\$ 31.03	\$ -	\$ 1.37	\$ 2.38	\$ 6.90	\$ 55.29	\$ 531.15	
001360	Penney	Kevin A.	O.T.	22.5	\$ 844.19	\$	\$	\$ 24.14	\$	\$ 55.04	\$ -	\$ 2.38	\$ 4.22	\$ 12.24	\$ 98.02	\$ 942.21	
001360	Seaberry	Tonya R	O.T.	35.5	\$ 1,131.72	\$	\$	\$ 32.37	\$	\$ 73.79	\$ -	\$ 3.75	\$ 5.66	\$ 16.41	\$ 131.98	\$ 1,263.70	
001360	Seaberry	Tonya R	Reg.	20	\$ 425.06	\$	\$	\$ 12.16	\$	\$ 27.71	\$ -	\$ 2.11	\$ 2.13	\$ 6.16	\$ 50.27	\$ 475.33	
001360	Shepard	William A.	O.T.	9	\$ 389.10	\$	\$	\$ 11.13	\$	\$ 25.37	\$ -	\$ 0.95	\$ 1.95	\$ 5.64	\$ 45.04	\$ 515.09	
001360	Shepard	William A.	Reg.	16	\$ 461.15	\$	\$	\$ 13.19	\$	\$ 30.07	\$ -	\$ 1.69	\$ 2.31	\$ 6.69	\$ 53.94	\$ 1,494.04	
001360	Tschida	Robert Kenneth	O.T.	29.5	\$ 1,339.19	\$	\$	\$ 38.30	\$	\$ 87.32	\$ -	\$ 3.12	\$ 6.70	\$ 19.42	\$ 154.85	\$ 3,435.31	
001360	Wieland	Steven C	O.T.	58	\$ 3,080.19	\$	\$	\$ 88.09	\$	\$ 200.83	\$ -	\$ 6.13	\$ 15.40	\$ 44.66	\$ 355.12	\$ 1,659.90	
001360	Wieland	Steven C	Reg	42	\$ 1,486.98	\$	\$	\$ 42.53	\$	\$ 96.95	\$ -	\$ 4.44	\$ 7.43	\$ 21.56	\$ 172.91	\$ 1,063.56	
001360	Williams	Victor J	O.T.	21	\$ 953.33	\$	\$	\$ 27.27	\$	\$ 62.16	\$ -	\$ 2.22	\$ 4.77	\$ 13.82	\$ 110.23	\$ 526.68	
001360	Young	Paul E	O.T.	10	\$ 472.13	\$	\$	\$ 13.50	\$	\$ 30.78	\$ -	\$ 1.06	\$ 2.36	\$ 6.85	\$ 54.55	\$ 1,596.56	
001370	Crane	Robert L	O.T.	34.75	\$ 1,430.78	\$	\$	\$ 40.92	\$	\$ 93.29	\$ -	\$ 3.67	\$ 7.15	\$ 20.75	\$ 165.78	\$ 613.29	
001370	Crane	Robert L	Reg.	20	\$ 548.98	\$	\$	\$ 15.70	\$	\$ 35.79	\$ -	\$ 2.11	\$ 2.74	\$ 7.96	\$ 64.31	\$ 1,721.94	
001370	Haglund	Gregory B	O.T.	34	\$ 1,543.47	\$	\$	\$ 44.14	\$	\$ 100.63	\$ -	\$ 3.59	\$ 7.72	\$ 22.38	\$ 178.47	\$ 675.98	
001370	Haglund	Gregory B	Reg.	20	\$ 605.28	\$	\$	\$ 17.31	\$	\$ 39.46	\$ -	\$ 2.11	\$ 3.03	\$ 8.78	\$ 70.69	\$ 31.04	
001500	Meyers	Robert L	Reg	1	\$ 28.16	\$	\$	\$ 0.37	\$	\$ 1.41	\$ 0.43	\$ 0.12	\$ 0.14	\$ 0.41	\$ 2.88	\$ 36.30	
001500	Pickard	Lawrence W	Reg	1	\$ 32.95	\$	\$	\$ 0.43	\$	\$ 1.65	\$ 0.50	\$ 0.12	\$ 0.16	\$ 0.48	\$ 3.35	\$ 112.82	
001540	Magnuson	Janice C	Reg	5	\$ 102.20	\$	\$	\$ 1.35	\$	\$ 5.11	\$ 1.55	\$ 0.62	\$ 0.51	\$ 1.48	\$ 10.62	\$ 173.98	
001635	Grager	Philip D.	Reg	9.5	\$ 157.40	\$	\$	\$ 2.08	\$	\$ 7.87	\$ 2.39	\$ 1.17	\$ 0.79	\$ 2.28	\$ 16.58	\$ 95.95	
001635	Klinge	Keith S	Reg	5.5	\$ 86.78	\$	\$	\$ 1.15	\$	\$ 4.34	\$ 1.32	\$ 0.68	\$ 0.43	\$ 1.26	\$ 9.17	\$ 108.04	
001635	Muirhead	Scott Robert	Reg	5	\$ 97.84	\$	\$	\$ 1.29	\$	\$ 4.89	\$ 1.49	\$ 0.62	\$ 0.49	\$ 1.42	\$ 10.19	\$	

001636	Benson	Eric J.	Reg	16	\$	162.72	\$	2.15	\$	8.14	\$	2.47	\$	1.97	\$	0.81	\$	2.36	\$	17.90	\$	180.62
001636	Frederick	Jon A.	Reg	19.5	\$	198.32	\$	2.62	\$	9.92	\$	3.01	\$	2.40	\$	0.99	\$	2.88	\$	21.82	\$	220.13
001636	Kelly	Kristoffer K.	Reg	17	\$	172.89	\$	2.28	\$	8.64	\$	2.63	\$	2.09	\$	0.86	\$	2.51	\$	19.02	\$	191.91
001636	Parker	Sean S.	Reg	6.5	\$	66.11	\$	0.87	\$	3.31	\$	1.00	\$	0.80	\$	0.33	\$	0.96	\$	7.27	\$	73.38
001636	Sechrist	William M.	Reg	8	\$	81.36	\$	1.07	\$	4.07	\$	1.24	\$	0.98	\$	0.41	\$	1.18	\$	8.95	\$	90.31
001636	Severson	Michael G.	Reg	9	\$	91.53	\$	1.21	\$	4.58	\$	1.39	\$	1.11	\$	0.46	\$	1.33	\$	10.07	\$	101.60
101920	Bates	John	Reg	14	\$	302.07	\$	3.99	\$	15.10	\$	4.59	\$	1.72	\$	1.51	\$	4.38	\$	31.30	\$	333.37
101920	Bates	John	O.T.	12	\$	388.37	\$	5.13	\$	19.42	\$	5.90	\$	1.48	\$	1.94	\$	5.63	\$	39.50	\$	427.87
101920	Carlos	Christopher S	Reg	21.5	\$	236.50	\$	3.12	\$	11.83	\$	3.59	\$	2.65	\$	1.18	\$	3.43	\$	25.80	\$	262.30
101920	Cozart	John W	Reg	28	\$	604.13	\$	7.97	\$	30.21	\$	9.18	\$	3.45	\$	3.02	\$	8.76	\$	62.59	\$	666.72
101920	Cozart	John W	O.T.	9	\$	291.27	\$	3.84	\$	14.56	\$	4.43	\$	1.11	\$	1.46	\$	4.22	\$	29.62	\$	320.89
101920	Eyler	James H	Reg	7	\$	115.98	\$	1.53	\$	5.80	\$	1.76	\$	0.86	\$	0.58	\$	1.68	\$	12.22	\$	128.20
101920	Kissler	Tim G	O.T.	9	\$	258.96	\$	3.42	\$	12.95	\$	3.94	\$	1.11	\$	1.29	\$	3.75	\$	26.46	\$	285.42
101920	Nettles	Jerry E	O.T.	9	\$	170.50	\$	2.25	\$	8.53	\$	2.59	\$	1.91	\$	0.85	\$	2.47	\$	18.60	\$	189.10
101920	Riggs	Daylen B.	Reg	15.5	\$	306.91	\$	4.05	\$	15.35	\$	4.67	\$	1.97	\$	1.53	\$	4.45	\$	32.02	\$	338.93
101920	Riggs	Norman R	O.T.	16	\$	258.96	\$	1.31	\$	4.95	\$	1.50	\$	0.74	\$	0.50	\$	1.44	\$	10.43	\$	109.43
101920	Russell	Norman R	Reg	9	\$	826.22	\$	3.42	\$	12.95	\$	3.94	\$	1.11	\$	1.29	\$	3.75	\$	26.46	\$	285.42
150020	Sellers	Barry W	O.T.	17.5	\$	444.65	\$	23.63	\$	53.87	\$	6.76	\$	1.85	\$	4.13	\$	11.98	\$	95.46	\$	921.68
401100	Dusenbury	Joe H	Reg	12	\$	58.22	\$	0.77	\$	2.91	\$	0.88	\$	0.15	\$	0.22	\$	0.84	\$	5.85	\$	64.07
401100	Holmboe	Bonita J	Reg	3	\$	31.92	\$	0.42	\$	1.60	\$	0.49	\$	0.10	\$	0.16	\$	0.46	\$	3.22	\$	35.14
401101	Blacksher	Jeanie F.	Reg	30	\$	455.18	\$	6.01	\$	22.76	\$	6.92	\$	3.69	\$	2.28	\$	6.60	\$	48.26	\$	503.44
401200	Elfstrom	Jonathan	O.T.	12	\$	273.11	\$	3.61	\$	13.66	\$	4.15	\$	3.94	\$	1.37	\$	3.96	\$	28.21	\$	786.09
401200	Jewell	Joseph B	Reg	32	\$	355.95	\$	9.40	\$	35.62	\$	10.83	\$	3.94	\$	3.56	\$	10.33	\$	73.68	\$	395.11
401201	Brown	Scott J	Reg	35	\$	233.91	\$	4.70	\$	17.80	\$	5.41	\$	4.31	\$	1.78	\$	5.16	\$	39.16	\$	259.64
401201	Byrne	Derek M.	Reg	23	\$	193.23	\$	3.09	\$	11.70	\$	3.56	\$	2.83	\$	1.17	\$	3.39	\$	25.73	\$	214.49
401201	Gerlach	Jason W.	Reg	19	\$	1083.42	\$	2.55	\$	9.66	\$	2.94	\$	2.34	\$	0.97	\$	2.80	\$	21.26	\$	1,194.41
401300	Ellingsen	Jerry B	Reg	40	\$	534.30	\$	14.30	\$	54.17	\$	16.47	\$	4.92	\$	5.42	\$	15.71	\$	55.26	\$	589.56
401300	Wilkins	Scott W	Reg	24	\$	434.12	\$	7.05	\$	26.72	\$	8.12	\$	2.95	\$	2.67	\$	7.75	\$	44.10	\$	476.22
450001	McGinnis	David J	O.T.	13	\$	249.37	\$	5.73	\$	21.71	\$	6.60	\$	1.60	\$	2.17	\$	6.29	\$	26.01	\$	275.38
450001	McGinnis	David J	Reg	13	\$	158.25	\$	3.29	\$	12.47	\$	3.79	\$	1.60	\$	1.25	\$	3.62	\$	16.17	\$	174.42
450001	Micicche	John J	O.T.	5.5	\$	374.05	\$	4.94	\$	18.70	\$	5.69	\$	1.60	\$	1.87	\$	5.42	\$	38.22	\$	412.27
450001	Rogers	Bradley A	Reg	8	\$	153.46	\$	2.03	\$	7.67	\$	2.33	\$	0.98	\$	0.77	\$	2.23	\$	16.01	\$	169.47
450001	Rogers	Bradley A	O.T.	12	\$	345.27	\$	4.56	\$	17.26	\$	5.25	\$	1.48	\$	1.73	\$	5.01	\$	35.28	\$	380.55

Totals:	\$	14,052.52	\$	35,573.17
Grand Totals:	\$	49,625.70		

CITY MANAGER'S FIRST DRAFT 04/30/03
MAYOR STEENROD'S SECOND DRAFT 5/6/03

DRAFT RESOLUTION NO. 03-088-B

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DES MOINES, WASHINGTON, authorizing the Greater Des Moines Chamber of Commerce to conduct its 2003 Waterland Festival and listing conditions under which such permission is granted.

WHEREAS, the City Council finds that the Waterland Festival, a continuation of an annual community event begun in 1919, enhances the quality of life for all residents of the City of Des Moines, and

WHEREAS, the Greater Des Moines Chamber of Commerce ("Chamber of Commerce") as sponsor of the event carries out all activities as a Chamber of Commerce function, and

WHEREAS, the City of Des Moines wishes to permit the Waterland activities of the Chamber of Commerce while at the same time being held harmless from any liability arising from the existence of such activities; now therefore,

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

Sec. 1. Permission to conduct the 2003 Waterland Festival during the period July 23, 2003 through July 27, 2003 is granted to the Chamber of Commerce, subject to the following conditions:

(1) The Chamber of Commerce shall defend and hold the City of Des Moines harmless from any liability which may result from the conduct of the Waterland event or its activities and an authorized official of the Chamber of Commerce shall sign a written agreement, on behalf of the Chamber of Commerce, that approval of this Waterland Resolution for 2003 does not constitute a waiver of the Chamber's obligation to defend and hold the City of Des Moines harmless from any liability which may result or may have resulted from the conduct of the Waterland event or its activities in any prior year.

(2) The prime leadership of all Waterland committees shall be non-City personnel and that it be clearly understood that assistance by City personnel is advisory to the Chamber of Commerce.

(3) The Chamber of Commerce shall purchase liability insurance in the amount of two million dollars (\$2,000,000) and shall name the City of Des Moines as a named additional insured. Proof of such insurance must be delivered to the City ten (10) days prior to the event.

(4) The Chamber shall be permitted to erect such special signage as is appropriate in the thirty (30) days prior to and during the event. The Chamber of Commerce must remove all such signage within ten (10) days after the final day of the Waterland Festival.

(5) Normal fees for conduct of a community event shall be waived where possible excepting those fees required by another governmental agency, provided the event subject to such permit or fee is fully sanctioned by the Chamber of Commerce and complies with all necessary requirements including health regulations.

(6) An authorized official of the Chamber of Commerce shall execute a written agreement, on behalf of the Chamber of Commerce, acknowledging ~~acknowledge in writing~~ its responsibilities for the conduct of Waterland activities and accepting such limitations as are contained in this resolution in addition to such limitations as may be imposed by the City Council or City Manager, including but not limited to:

(a) The City Manager is authorized to close the boat launch facility at the Des Moines Marina during the Waterland Festival for the purpose of public safety.

(b) The Chamber of Commerce agrees to take whatever measures are necessary to prevent damage to the Marina facility and to be responsible for any damage that may occur.

(c) The hours of operation of the festival shall be as follows:

11:00 a.m. to
~~((10:00))~~ 10:30
p.m. ~~((, with~~ OK
~~fireworks display~~
~~immediately~~
~~following))~~ →

Wednesday, Thursday, Friday, and
Saturday

~~((11:00 a.m. to 9:00 p.m.))~~ → ~~((Thursday, Friday and Saturday))~~

11:00 a.m. to 8:00 p.m. → Sunday.

A Des Moines Police Department command officer will have the authority to close the festival down earlier should it be necessary following assessment of any security issues.

~~(d) ((There shall be no Waterland Pub or other beer garden.)) The Waterland Pub shall be closed at 9:30 p.m. on Wednesday, Thursday, Friday, and Saturday; and 7:00 p.m. on Sunday; or earlier at the discretion of a Des Moines Police Department command officer.~~ OK

(e) The Chamber of Commerce will use all reasonable efforts to advertise the festival as a family-oriented community festival.

(f) All retail sales of food and merchandise will be subject to permission of the Chamber of Commerce and fees collected by the Chamber of Commerce by such licensing shall include a percentage for security services to be provided by the Des Moines police department.

(g) The Chamber of Commerce shall provide ten thousand dollars (\$10,000.00) towards police security, with the Chamber paying reserve officers and non-Des Moines officers directly from said ten thousand dollars (\$10,000.00) amount. Any remainder of the ten thousand dollar (\$10,000.00) sum not used towards reserve officers and non-Des Moines officers shall be paid directly to the City.

(h) The Chamber of Commerce shall be authorized to contract with a private business to regulate and charge for parking, which charge shall not exceed five dollars (\$5.00) per vehicle per visit.

(i) To enhance the security of the patrons of the festival, the Chamber of Commerce shall be authorized to fence the main festival grounds in the Marina, with entrance gates located at the north and south ends of the festival. The gates

will be staffed by Chamber of Commerce personnel at all times. A general admission fee will be charged as follows:

General Admission	\$1.00
Seniors (62 and Over)	\$.50
Children (Under 12)	Free

(j) The Chamber of Commerce shall provide for a walking path (~~((outside the fenced))~~) through the festival grounds ~~((area along the north and west sides of the Marina in a manner to allow pedestrians to walk through the Marina area without walking through the festival grounds))~~ prior to the festival opening each day. The walking path will not be available during festival hours for safety reasons. *or around the*

Sec. 2. The City Manager is authorized, at his discretion, to grant permission to the Chamber of Commerce to use and occupy for the purpose of the Waterland Festival City facilities and property, including, but not limited to, the Des Moines Marina, City parks, and public rights-of-way.

Sec. 3. The City Manager is directed and authorized to issue to the Chamber of Commerce, without cost, a right-of-way permit for the Waterland parade. *if the chamber requests it.*

Sec. 4. The City Manager is authorized to provide City assistance to the Waterland Festival, which may include, without limitation, services by the police, public works, parks, and marina departments. The City Manager shall provide a report to the City Council on services provided and costs thereof.

Sec. 5. Permission is granted for the Chamber of Commerce to utilize the official City of Des Moines logo in connection with the annual Waterland Festival.

ADOPTED BY the City Council of the City of Des Moines, Washington this ____ day of _____, 2003 and signed in authentication thereof this ____ day of _____, 2003.

M A Y O R

APPROVED AS TO FORM:

Resolution No. ____
Page 5 of ____

City Attorney

ATTEST:

City Clerk

DRAFTRES/03-088-B

PRELIMINARY
SPECIAL MEETING DES MOINES CITY COUNCIL

MINUTES

April 24, 2003

The special meeting of the Des Moines City Council was called to order by Mayor Pro Tem Benjamin at 6:35 p.m. in the City Hall Conference Room, 21630 11th Avenue South.

ROLL CALL - Present: Mayor Maggie Steenrod (arrived at 6:50 p.m.), Mayor Pro Tem Richard Benjamin and Councilmembers Gary Petersen (arrived at 6:57 p.m.), Bob Sheckler, Scott Thomasson and Susan White. Also present were City Manager Tony Piasecki (arrived at 6:50 p.m.) Assistant City Manager Corbitt Loch, City Attorney Linda Marousek, Assistant City Attorney Richard Brown, Public Works Director Tim Heydon (left at 6:50 p.m.) and Civil Engineer Mike Holmes (left at 6:50 p.m.).

Mayor Pro Tem Benjamin announced that the Council would hold an Executive Session for approximately 40 minutes to discuss real estate matters, about which public knowledge might have an adverse impact on price to the detriment of the City.

At 6:50 p.m., Mayor Steenrod and City Manager Piasecki joined the meeting. Public Works Director Heydon and Civil Engineer Holmes left the meeting.

At 6:57 p.m., Councilmember Petersen arrived at the meeting.

No formal action was taken.

At 7:10 p.m., Mayor Steenrod announced that the Council would hold an Executive Session for approximately ten minutes to discuss with legal counsel representing the City litigation or potential litigation to which the City was or was likely to become a party, and about which public knowledge regarding the discussion was likely to result in an adverse legal or financial consequence to the City.

No formal action was taken.

ADJOURNMENT

The Executive Session adjourned at 7:21 p.m.

Respectfully submitted,

Linda Marousek
City Attorney

PRELIMINARY
REGULAR MEETING DES MOINES CITY COUNCIL

MINUTES

April 24, 2003

The regular meeting of the Des Moines City Council was called to order at 7:32 p.m. by Mayor Steenrod in the Council Chambers, 21630 11th Avenue South, Suite B.

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

INVOCATION was led by Chaplain Lew Cox of the Des Moines Police Department.

ROLL CALL - Present: Mayor Maggie Steenrod, Mayor Pro Tem Richard Benjamin, Councilmembers Gary Petersen, Bob Sheckler, Scott Thomasson, and Susan White. Also present were City Manager Tony Piasecki, Assistant City Manager Corbitt Loch, City Attorney Linda Marousek, Assistant City Attorney Richard Brown, Park and Recreation Director Patrice Thorell, Commander John O'Leary, and Deputy City Clerk Angela Chaufy.

CORRESPONDENCE

Corky Cellars' Correspondence

City Manager Piasecki announced that the April 24, 2003 letter submitted by Ric and Dianne Jacobson of Corky Cellars had been distributed to Council.

COMMENTS FROM THE PUBLIC

David Kaplan, 2614 South 226th, #B303

Mr. Kaplan addressed Council regarding the proposed traffic impact fees. He said that during the development of the City's Transportation Plan, three levels of service to provide for the City's long-term traffic impacts had been identified and studied. The adopted transportation plan was based upon the minimum service level and was predicated upon the completion of SR509. If the proposed traffic impact fees were not adopted, Mr. Kaplan felt that the necessary transportation improvements and maintenance would not be developed quickly enough to support the eventual buildup identified by the Transportation Plan. Mr. Kaplan urged Council to adopt traffic impact fees.

Alli Larkin, 21937 7th Avenue South, #210

Ms. Larkin distributed pictures to Council. She asked them to amend the Municipal Code to better protect and preserve the public beach and the fish-spawning creek that runs through it. She recommended the following four actions:

1. Amend the Municipal Code regarding the beach in a modified form of the amendment previously submitted to Council.
2. Create and post signs regarding digging, shell removal, and no dogs on the beach, etc.
3. Station City employees who can enforce the proposed regulations on the beach during low tides.
4. Post beach and park regulations on the City's website.

Sven Kalve, 27024 8th Avenue South

As a six year member of the Planning Agency, Mr. Kalve asked Council to maintain the current Planning Agency process. He stated that the Planning Agency was an important part of a process that provided accessible and convenient service to developers. The current process allowed Council to determine policy, expand discussion, and govern by consensus. In closing, Mr. Kalve asked Council's Planning Agency liaison to attend the agency's meetings.

Earline Byers, 22315 6th Avenue South

Speaking on behalf of condominium association residents of South Shores Condominium, Cliffhouse Condominium, and Mariner Condominium, Ms. Byers informed Council that condo representatives had met with the Chamber of Commerce to reach consensus regarding Waterland Festival issues. She thanked Councilmember Sheckler and former City Manager Bob Olander for their encouragement to pursue communications between the parties. Speaking for herself, Ms. Byers said that she did not support charging an admission fee for the Festival as she felt it was double-taxing the residents.

Stan Scarvie, 204 South 206th Street

Mr. Scarvie asked the City Attorney to clarify recusal rules. He said that Mayor Steenrod and Councilmember Petersen had participated in the April 3, 2003 discussion regarding the Pacific Ridge area. Mr. Scarvie said that he thought that if Councilmembers had to recuse themselves from voting on an issue, they also had to recuse themselves from the discussion less they influence Council's decision.

Steve Zielinski, 22022 28th Place South

Mr. Zielinski informed Council that he was profoundly disappointed that Draft Ordinance 02-177 regarding mobile home park regulations had failed. He said that the Pacific Ridge area was not yet ready for development. As a business owner, Mr. Zielinski asked Council to reconsider the draft ordinance on a future agenda.

Del Rivero, 1228 South 230th Street

Mr. Rivero announced that the Second Annual Fishing Derby would be conducted August 2, 2003. Sponsors of the event included Ruth Dykman Center, Ronald McDonald House, Fred Hutchison, and Children's Hospital. Mr. Rivero encourage anyone who wished to help with the event or who knew a child who would benefit from the experience to contact the Chamber of Commerce at (206) 878-7000.

BOARD & COMMITTEE REPORTS

Meeting with Congressman Adam Smith Regarding Prescription Drug Prices

Councilmember White announced that she had attended a meeting at the Senior Activity Center in which Congressman Adam Smith met with constituents to discuss prescription drug prices and pending federal legislation. She encouraged citizens to contact Congressman Smith's office or the City to obtain additional information.

PRESIDING OFFICER'S REPORT

Dedication of Senior Activity Center

Mayor Steenrod reported that the Senior Activity Center had been dedicated and the facility was working out well.

ADMINISTRATION REPORTS

Presentation - Harborview Medical Center Community Update on Bond Program

City Manager Piasecki introduced Tina Mankowski, Harborview Medical Center's Director of Community Relations.

Ms. Mankowski introduced Harborview Board of Trustee Member Lou Joslin. Ms. Joslin serves as trustee representative for Des Moines' residents. Ms. Mankowski informed Council that Harborview Medical Center is owned by King County and managed by the University of Washington. It provides care to residents throughout Washington, Alaska, Montana, and Idaho. Medical services include trauma care, burn center, HIV/STD, neuroscience, orthopaedic services, international medicine, sexual assault, traumatic stress, injury prevention, research, and training. The \$193,000,000 bond issue approved by the voters in September 2000 provided a seismic upgrade for the facility, added fifty beds, and financed the demolition and replacement of unstable buildings. Ms. Mankowski said that she would like to provide Council with an update concerning the Medical Center in one and one half years.

Ms. Joslin informed Council that Harborview Medical Center takes a lead role in the coordination of major, new issues concerning healthcare providers. The center's website is www.harborview.org.

Citizen Action Request Form

City Manager Piasecki announced that citizen action request forms were currently available at City Hall and on the City's website beginning May 1, 2003.

Applications for Council Vacancy

City Manager Piasecki reported that eleven applications for the vacant Council seat had been submitted so far. Applications would be received until 2:00 p.m., April 25, 2003.

CONSENT CALENDAR

Deputy City Clerk Chaufy announced that consent Calendar Item No. 6 had been removed by Administration. She then read the consent calendar as follows:

1. Motion is to approve the regular minutes of April 3, and the special and regular minutes of April 10, 2003.
2. Findings: Vouchers audited and certified by the auditing officer as required by RCW 42.24.080, and those expense reimbursement claims certified as required by RCW 42.24.090, have been recorded on a listing which has been made available to the City Council.

Motion: As of this date the Des Moines City Council, by unanimous vote, does approve for payment those vouchers and payroll transfers included in the above list and further described as follows:

Claim checks #84859 through #85081 & electronic fund transfers in the total amount of \$553,850.79

Payroll fund transfers in the total amount of \$342,026.09

3. Motion is to approve the increase in the authorized contract amount with Global Diving and Salvage, Inc. by \$450, plus sales tax, and authorize the City Manager to sign said change order in a form as approved by the City Attorney.
4. Motion is to approve the fee increase requested by Reid Middleton Engineers for consulting and construction management services on the repairs to the Public Fishing Pier Project and to authorize the City Manager to sign an addendum to the agreement that would increase the contract amount by \$5,500. The addendum shall be in a form approved by the City Attorney.
5. Motion is to approve the Consent Judgment & Decree of Appropriation in King County Superior Court Cause No. 02-2-19401-0 KNT and to authorize the City Attorney to approve said Judgment and Decree and present it to the court, for approval and entry, substantially in the form as submitted.
6. ~~Motion is to approve the expenditure of \$3,750 to be used as the City of Des Moines' match to the Economic Development Administration's Trade promotion grant and authorize the City Manager to transfer these funds to King County based on the approved scope of work from EDA.~~
7. ~~Motion is to approve the Interlocal Agreement between the City of Des Moines and Federal Way Public Schools regarding joint development and use of Woodmont Elementary School Soccer Field and authorize the City Manager to sign the agreement substantially in the form as submitted.~~

City Manager Piasecki noted that a revised draft interlocal agreement regarding Item No. 7 had been distributed to Council.

Deputy City Clerk Chaufty continued reading the consent calendar as follows:

8. ~~Motion is to approve the lease of a location near a Des Moines Field House Park ballfield light standard for installation of a replacement ballfield light standard and equipment storage area to Cingular Wireless LLC for use as a wireless antenna location and to authorize the City Manager to sign the lease substantially in the form as submitted.~~
9. Motion is to approve the Consent & Decree of Appropriation in King County Superior Court Cause No. 02-2-33610-8 KNT, and to authorize the City Attorney to approve said Judgment and Decree and present it to the court, for approval and entry, substantially in the form as submitted.
10. Motion is to approve the Contract for Des Moines Field House Facility Improvements Project construction services with Mayer Construction Co., Inc. in the amount of \$38,450.00 plus tax, and authorize the City Manager to sign the contract substantially in the form as submitted. And, to authorize the City Manager to approve change orders in amounts not to exceed 10% in total.
11. Motion is to approve the Rental Agreement between City of Des Moines Parks, Recreation and Senior Services Department and Joseph and Peggy Dusenbury and to have the Rental Agreement signed by the Parks, Recreation & Senior Services Director substantially in the form as submitted.
12. Motion is to approve the lease agreement with Classic Yachts, Inc., with the modifications as shown, and authorize the City Manager to sign the lease substantially in the form as submitted.
13. Motion is to enter into the agreements with Troy & Banks and Help-U-Save and to authorize the City Manager, or his designee, to sign said agreements substantially in the form as submitted.
14. Motion is to approve the purchase of a John Deere 2653A 84 Professional Recycling Utility Mulching Mower for the amount of \$22,702.21 of which the King County Waste Reduction and

Recycling Grant Program will reimburse the City \$18,874.20 and with matching funds of \$3,828.01 contributed by General Fund Park Operations fund balance.

15. Motion is to set the final assessment roll Public Hearing date for LID 1-97-9 on June 26, 2003.

Councilmember Thomasson removed Item Nos. 7 and 8.

Mayor Steenrod recused herself from Item Nos. 5 and 9. She asked City Manager Piasecki to explain Item Nos. 11 and 13.

In regard to Item No. 11, City Attorney Marousek explained that the rental rate had been determined by reviewing the rates charged for similar rental properties advertised by property management companies. The rental would be made on the same basis that it would be made to any member of the public.

In regard to Item No. 13, City Manager Piasecki explained that Troy and Banks would audit the city's utility expenditures while Help-U-Save would audit the city's fuel bills.

Councilmember Petersen recused himself from Item Nos. 5 and 9.

MOTION was made by Councilmember White, seconded by Mayor Pro Tem Benjamin, and passed unanimously to approve the consent calendar as amended.

REMOVED CONSENT CALENDAR ITEMS

Woodmont Elementary School Soccer Field Renovation – Draft Interlocal Agreement Between City of Des Moines and Federal Way Schools

In response to Councilmember Thomasson's questioning, Park and Recreation Director Thorell informed Council that the new field would not be included on the school district's roster of fields. When the field was not scheduled for school use, it would be reserved for City use. She explained that Attachment A was the site map and legal description, Attachment B was a copy of King County Contract No. D29843, and Attachment C was the use and maintenance agreement between Federal Way Public Schools and Des Moines Midway Soccer Club. The field work had been completed and the dedication would be scheduled for late summer or early fall.

MOTION was made by Councilmember Thomasson, seconded by Mayor Pro Tem Benjamin and passed unanimously to approve the interlocal agreement between the City of Des Moines and Federal Way Public Schools regarding joint development and use of Woodmont Elementary School Soccer Field and authorize the City Manager to sign the agreement substantially in the form as delivered to Council this evening.

Cingular Wireless Lease Agreement – Des Moines Field House Park

Councilmember Thomasson said that the longest agreement term he would consider was five years. He questioned whether the relocation of the light standard would negatively impact the field lighting.

Mayor Steenrod said that she also was uncomfortable with a thirty year term length. She questioned whether the lease agreement would set a precedent for future park use.

City Attorney Marousek explained that the City's Telecommunication Code established the priority for locating wireless communication facilities. The first priority was identified as siting them on city owned property. DMMC 20.07.070(4b) addressed their placement in parks and established six criteria for such placement. City Attorney Marousek noted that the unconditional use permit for the project would require a review by Council and a hearing before the Hearing Examiner. She said that Cingular Wireless had agreed to provide a performance bond for the removal of property.

Assistant City Attorney Brown explained that the starting point for the negotiation process was the AT&T lease previously negotiated. He noted that Cingular Wireless had agreed to pay for the removal of the equipment if needed due to a public emergency.

Councilmember Thomasson said that the lease should also cover staff's time spent negotiating the lease. Pending the outcome of the permit, he said that he did not want the lease to pre-determine the location of the facilities. Councilmember Thomasson felt it was important for Council to be able to amend the lease.

Assistant City Attorney Brown explained that the lease amount was tied to the Seattle CPI and at each five-year renewal period, the City could take the issue to arbitration if they did not feel the rate was sufficient.

Councilmember Thomasson stated his preference for setting the term of the lease to only five years.

Park and Recreation Director Thorell said that the shortest term length discussed with Cingular Wireless has been twenty years or fifteen years with an eighteen month window for cancellation with an additional fifteen years.

Councilmember Thomasson noted that the Park and Recreation Master Plan did not include any communication equipment. He voiced concern with potential height and sight issues also.

Park and Recreation Director Thorell explained that staff had requested the move of the light standard so that field No. 1's outfield could be extended. She said that the field lighting consultant had reviewed the proposed layout.

Mayor Steenrod said that she could agree to a five or ten year lease but felt that a thirty year lease provided no flexibility for the City. To maintain flexibility, she suggested that the language "Each Renewal Term shall be on the same terms and conditions as set forth herein" be deleted from Paragraph 4.

Councilmember Thomasson said that setbacks and landscaping requirements should be included in the plan. He wanted to insure that Cingular Wireless would lease enough ground space to buffer their needs.

MOTION was made by Councilmember Thomasson, seconded by Councilmember Sheckler and passed unanimously to continue the subject to a future meeting date determined by the Mayor and City Manager.

At 9:02 p.m., Mayor Steenrod declared a ten minute break.

AGENDA REVISION

Mayor Steenrod announced that discussion regarding Old Business, Item No. 1 would be postponed until later in the meeting.

NEW BUSINESS

Consideration to Move to Future Agenda: Draft Ordinance No. 02-264 Traffic Impact Fees - 2nd Reading

MOTION was made by Councilmember White, seconded by Councilmember Sheckler and passed unanimously to place Draft Ordinance No. 02-264 on the agenda of the May 22, 2003 meeting.

ACC Funding and Amended Interlocal Agreement

Councilmember Sheckler noted that Council had previously discussed the issue in Executive Session. He asked that Council resume the funding of the Airport Communities Coalition (ACC).

Councilmember White urged Council to restore ACC funding. She said that construction of a third runway was a community issue that was worth fighting.

Councilmember Thomasson voiced support for the issue as he felt it would be important for the City to participate in upcoming discussions.

MOTION was made by Councilmember Thomasson and seconded by Councilmember Sheckler to approve City of Des Moines funding of the ACC for Year 2003 for \$150,000 and to approve Attachment A of the interlocal agreement.

Councilmember Petersen said that he would not support funding the ACC until the issue had been presented to the voters.

Mayor Steenrod said that she did not believe construction of a third runway was a good idea but questioned when the City should cut its losses.

Councilmember White noted that other communities were still willing to fight the runway and discuss the issues. She said that several airlines were going out of business. Councilmember White urged Council to fund the ACC for Year 2003. She said that the fight was not over.

Councilmember Sheckler stated that several key issues still needed to be resolved before construction of the third runway could begin. He said that if the City did not participate in the ACC, it could not participate in any mitigation discussions. He stated his belief that the City would eventually be back in the ACC.

VOTE ON MOTION: Motion failed, 3 – 3, with Mayor Steenrod, Mayor Pro Tem Benjamin, and Councilmember Petersen opposed.

Draft Resolution No. 03-098 Requiring All Eligible Incumbent Councilmembers Participate in Final Appointment to Vacant Council Position

MOTION was made by Councilmember Sheckler and seconded by Councilmember Thomasson to approve Draft Resolution No. 03-098 requiring full Council participation in the final appointment for the vacant Council position.

Councilmember Petersen said that he did not expect city business to stop just because a councilmember was not present.

Mayor Steenrod stated her belief that the decision should not be held up if a councilmember was not present. Therefore, she would not support the motion.

VOTE ON MOTION: Motion failed, 3 – 3, with Mayor Steenrod, Mayor Pro Tem Benjamin, and Councilmember Petersen opposed.

Draft Resolution No. 03-088 2003 Waterland Festival

Chamber of Commerce President Mike Foote thanked Council and staff for their support of the Waterland Festival. He introduced Chamber Boardmembers Ed Coumou and Pat Murray, Second Vice-President Del Rivero, Treasurer Colleen Heston and Executive Director Carole Elrod.

Mr. Coumou asked Council to grant permission for the Chamber of Commerce to conduct the 44th Waterland Festival. He said that the Chamber spends money earned from the festival on the following programs:

- Assisting local businesses succeed.
- Improving economic development
- Providing a Visitor Center
- Organizing and sponsoring several community events such as Waterland, holiday events, Community Open House, Community Forums, and the fishing derby.
- Conducting an anti-graffiti program
- Giving to charities
- Producing local maps and guides
- Serving local businesses.

Mr. Coumou noted that the Chamber was served by a volunteer board and had one paid employee. Their membership was currently at its highest level.

Ms. Heston informed Council that the Waterland Festival benefits organizations such as Kiwanis, Lions Club, Rotary, local businesses, Chamber of Commerce, senior and youth groups, families, and citizens. She noted the following improvements proposed for the 2003 festival:

- Improved layout.
- Increased number of ticket booths to relieve congestion.
- Free admission with the donation of a used toner cartridge for recycling.
- Availability of five day passes for \$3.
- Fishing derby on August 2, 2003.

Ms. Elrod said that the Chamber of Commerce was hoping to increase the number of volunteers participating in the festival. The volunteers would assist with sanitation control, parking, and maintenance issues. The Chamber was working with the City to develop a security plan. She

displayed and described the organizational chart for the Waterland Festival Committee. Ms. Elrod invited everyone to attend the Waterland Festival Volunteer Drive at the Ramada Inn on April 30, 2003.

Councilmember Sheckler questioned whether the Chamber of Commerce was prepared to reduce the direct and indirect costs to the City for their participate in the festival.

Ms. Elrod said that additional discussion was needed to develop a plan to reduce costs.

Councilmember Sheckler noted that last year the city had provided \$35,500 for security and \$14,000 for indirect maintenance costs.

Upon questioning from Councilmember Sheckler, Ms. Elrod confirmed that the Federal Way Mirror, rather than the Des Moines News, had been contracted to make the Waterland Guide.

Ms. Heston estimated that 50,000 people had attended the Festival last year. The Chamber planned to issue admission tickets this year in order to obtain a more accurate attendance count.

Councilmember Sheckler recommended that Council postpone taking action on the proposed resolution until the Chamber of Commerce had addressed the costs of the festival to the City.

Upon questioning, Commander O'Leary stressed the importance of maintaining sufficient police levels at the festival.

In response to Councilmember Thomasson's questioning, Commander O'Leary confirmed that the closure of the festival at 9:00 p.m. or the elimination of the Beer Garden would reduce security staffing levels.

Councilmember Thomasson voiced support for Waterland and its events but noted that the shape of the festival affected its costs. He stated his belief that the beer garden increased the cost of the festival. Councilmember Thomasson said that if the event was designed to be family-oriented in nature, the hours of operation could be shortened. He noted that the event has evolved over the last forty years. Councilmember Thomasson asked the Chamber of Commerce to answer the following questions:

- How much money does the Chamber of Commerce net annually from the Waterland Festival?
- What share of the proceeds were returned to the City to cover its costs as a partner in the event?

Councilmember White questioned whether the Waterland Festival supported local businesses. She said that the City was not in a position to cover expenses at the same level as last year and the Chamber of Commerce needed to meet the City halfway on this issue.

In response to Mayor Pro Tem Benjamin's questioning, Commander O'Leary said that nuisances caused by the Beer Garden in the last few years had been relatively minor. He stated his belief that the high volume of police presence served as a deterrent. Commander O'Leary verified that alcohol tends to escalate problem situations.

Mayor Pro Tem Benjamin said that the citizens pay for police services. If the City had a festival, then the city had an obligation to protect its citizens. He said that he thought the police enjoyed and looked forward to the overtime created by the Waterland Festival. He thought that the Waterland Festival strengthened police department morale.

Councilmember Thomasson noted that there was a time when the Waterland Festival had safety problems so the level of security was increased. As a result, the costs to the City also increased. The festival has been adjusted throughout its history.

In response to Councilmember Sheckler's questioning, Ms. Heston said that the Chamber of Commerce budgeted \$10,000 per year for security. The money first compensated the Reserve Officers for their service and, then, any left over money was given to the City.

Due to the City's financial condition, Councilmember Sheckler asked whether the Chamber was willing to split the cost of security with the City in order to maintain the current security level.

Ms. Heston said that the Chamber of Commerce Board would need to discuss the issue. In response to Mayor Steenrod's questioning, Ms. Heston said that the Chamber had never quantified the benefit to the community generated by the Waterland Festival.

Ms. Elrod said that Bellingham's Ski and Sea event claimed a \$5,000,000 economic benefit for its city. She stated her belief that the Waterland Festival made Des Moines a destination location. Ms. Elrod said she would obtain Bellingham's formula for calculating the economic benefit and apply it to the Waterland Festival.

Councilmember Thomasson questioned whether a corridor for pedestrians to bypass the festival could be created.

Mayor Pro Tem Benjamin urged Council to take immediate action on the proposed resolution. He said that a precedent had been set.

Councilmember Sheckler said that the benefits of the Waterland Festival were a matter of perspective. He stated that the festival's costs to the City must be addressed before he was willing to support the proposed resolution. He requested copies of the Chamber of Commerce's Waterland Festival profit, loss and income statements for the previous three years.

At 10:25 p.m., **MOTION** was made by Councilmember Thomasson, seconded by Councilmember Sheckler, and passed unanimously to extend the meeting by five minutes.

Councilmember Thomasson asked that the proposed resolution be amended to include the amount of money the City will be reimbursed by the Chamber of Commerce for security.

Councilmember White agreed.

Mayor Pro Tem Benjamin said that it was a shame to punish citizens and volunteers for political reasons.

At 10:34 p.m., **MOTION** was made by Councilmember Sheckler, seconded by Councilmember Petersen and passed unanimously to extend the meeting by four minutes.

City Manager Piasecki said that he would schedule a meeting between staff and Chamber of Commerce representatives to discuss the financial concerns.

MOTION was made by Councilmember Sheckler, seconded by Councilmember Thomasson, and passed unanimously to continue the discussion to the May 1, 2003 meeting.

OLD BUSINESS

Draft Ordinance No. 03-165 Planning Agency Duties - 2nd Reading

Draft Ordinance No. 03-165 died for lack of a motion.

NEXT MEETING DATE - Study Session May 1, 2003

ADJOURNMENT

At 10:39 p.m., the meeting expired.

Respectfully submitted,

Angela M. Chaufty
Deputy City Clerk

ACTION ITEMS FROM 4/24/03 COUNCIL MEETING

Cingular Wireless Lease Agreement – Des Moines Field House Park

- Continue negotiation of Cingular Wireless lease agreement.

Draft Resolution No. 03-088 2003 Waterland Festival

- Meet with Chamber of Commerce representatives to address the City's financial concerns associated with the Waterland Festival.

AGENDA ITEM

BUSINESS OF THE CITY COUNCIL City of Des Moines, WA

SUBJECT: Recognition of "National Police Week" in Des Moines during the week of May 11th through May 17th and, Recognition of "Police Memorial Day" to be on May 15th, 2003

ATTACHMENTS: Certificate of Recognition

FOR AGENDA OF: May 8, 2003

DEPT. OF ORIGIN:

DATE SUBMITTED: April 30, 2003

CLEARANCES:

☒ Police

☐

APPROVED BY ACTING CITY MANAGER

FOR SUBMITTAL:

RECOMMENDED ACTION

It is suggested that the city council approve the following motion on the Consent Calendar:

"Motion is to recognize the week of May 11, 2003 through May 17, 2003 as *National Police Week* and May 15, 2003 as *Police Memorial Day*".

SUMMARY STATEMENT

The Congress of the United States of America has designated the week of May 11th to be dedicated as *National Police Week* and May 15th of each year to be dedicated as *Police Memorial Day*. The City Council of Des Moines desires to honor the valor, service and dedication of its own police officers by acknowledging these dates of dedication and by approving the attached document by motion.



City of Des Moines

ADMINISTRATION
21630 11TH AVENUE SOUTH, SUITE A
DES MOINES, WASHINGTON 98198-6398
(206) 878-4595 T.D.D.: (206) 824-6024 FAX: (206) 870-6540



RECOGNITION

WHEREAS, the Congress and President of the United States have designated May 15 as Peace Officers' Memorial Day, and the week in which May 15 falls as Nation Police week; and

WHEREAS, the members of the law enforcement agency of Des Moines play an essential role in safeguarding the rights and freedoms of Des Moines; and

WHEREAS, it is important all citizens know and understand the duties, responsibilities, hazards, and sacrifices of their law enforcement agency, and that members of our law enforcement agency recognize their duty to serve the people by safeguarding life and property, by protecting them against violence and disorder, and by protecting the innocent against deception and the weak against oppression; and

WHEREAS, the men and women of the law enforcement agency of Des Moines unceasingly provide a vital public service;

NOW, THEREFORE, the City Council of the City of Des Moines, calls upon all citizens of Des Moines and upon all patriotic, civic and educational organizations to observe the week of May 11-17, 2003, as Police Week with appropriate ceremonies and observances in which all of our people may join in commemorating law enforcement officers, past and present, who, by their faithful and loyal devotion to their responsibilities, have rendered a dedicated service to their communities and, in so doing, have established for themselves an enviable and enduring reputation for preserving the rights and security of all citizens.

The City Council further calls upon all citizens of Des Moines to observe May 15th as Peace Officers' Memorial Day in honor of those law enforcement officers who, through their courageous deeds, have made the ultimate sacrifice in service to their community or have become disabled in the performance of duty, and let us recognize and pay respect to the survivors of our fallen heroes.

Dated: _____

AGENDA ITEM

BUSINESS OF THE CITY COUNCIL City of Des Moines, WA

SUBJECT:

Appointing City Voting Delegates to 2003
AWC Annual Business Meeting
Meeting

ATTACHMENTS:

Letter dated March 25, 2003, from Stan
Finkelstein, AWC Executive Director
To Mayors of AWC member cities

FOR AGENDA OF:

DEPT. OF ORIGIN:

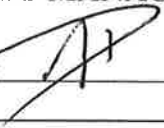
DATE SUBMITTED:

CLEARANCES:

[] _____

APPROVED BY CITY MANAGER

FOR SUBMITTAL:



Purpose

The purpose of this agenda item is to allow the City Council to choose up to three voting delegates to attend the Association of Washington Cities 2003 annual business meeting and vote on behalf of the City.

Suggested Motion

"I move to appoint _____ as the City of Des Moines' voting delegate(s) to the AWC 2003 annual business meeting."

Background and Discussion

As a member of the Association of Washington Cities, the City of Des Moines has the right to designate up to three (3) voting delegates to the Association's annual business meeting. (See attached letter from Stan Finkelstein, AWC Executive Director.) This year's meeting is Friday, June 20, in Spokane.

For information purposes, per the request of Mayor Steenrod, the following is a summary of City Council travel to date:

Councilmember Sheckler

AWC Legislative Conference in Olympia - \$394

Councilmember White

AWC Legislative Conference in Olympia - \$406

National League of Cities Legislative Conference in Washington, D.C. - \$1499



ASSOCIATION OF
WASHINGTON CITIES

1076 Franklin St. SE
Olympia, WA 98501-1346

Phone: (360) 753-4137
Toll Free: 1-800-562-8981
Fax: (360) 753-0149

Website: www.awcnet.org

March 25, 2003

TO: Mayors

FROM: Stan Finkelstein, AWC Executive Director

SUBJECT: **Registering Voting Delegates – 2003 Annual Business Meeting**

Enclosed is a return post card for your use in advising the Association of Washington Cities (AWC) of the voting delegates selected to represent your city during AWC's 2003 annual business meeting. The annual business meeting is tentatively scheduled to begin at 10:30 a.m. on Friday, June 20, at the Red Lion Grand Hotel in Spokane. For your information in appointing voting delegates, the Bylaws of the Association of Washington Cities provides:

“Each member, prior to the annual membership meeting, shall designate three delegates who shall be duly elected or appointed officials or employees of such member to represent the member in the affairs of the corporation, and shall file with the corporation's Executive Director certificates of such designation prior to the annual membership meeting. Members' delegates may be changed at any time, provided the Executive Director receives notice of such change.”

“Each delegate shall be entitled to one vote upon each issue submitted to membership vote at the annual membership meeting and one vote for each officer or director to be elected. In no event shall delegates be entitled to have cumulative votes. Each vote shall be cast in person by the delegate or the delegate's proxy in attendance at the annual membership meeting. Voting by the general membership shall be by viva voce of the delegates, except in the election of officers and directors for which there is more than one nominee for the office where the vote shall be by separate ballot. Upon the demand of any five delegates, a division may be demanded.”

Please complete and sign the enclosed card with the names of up to three city officials or employees, that will be attending the business meeting at Conference, who shall serve as your city's voting delegates. **Please return the card to the Association's office by Friday, May 23.** This information will be used to prepare voting delegate badges and ribbons.

If you have any questions, please contact Kathy Carlson of AWC at (360) 753-4137 or toll-free 1-800- 562-8981.

SF/DH:jb

Enclosure: Voting Delegate Postcard