REGULAR MEETING DES MOINES CITY COUNCIL

MINUTES May 25, 2000

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

PLEDGE OF ALLEGIANCE to the flag was led by Councilmember Wasson.

ROLL CALL - Present: Mayor Scott Thomasson, Mayor Pro Tem Bob Sheckler, Councilmembers Terry Brazil, Dave Kaplan, Dan Sherman, Gary Towe and Don Wasson. Also present were City Manager Bob Olander, Assistant City Manager Tony Piasecki, Finance Director Scott McCarty, Public Works Director Tim Heydon, Community Development Director Judith Kilgore, and Deputy City Clerk Angela Chaufty.

COMMENTS FROM THE PUBLIC

Jerry Guite, 21317 Marine View Drive, Normandy Park

Mr. Guite informed Council that the attorney for the ACC was paid at a rate of $200 per hour. He also expressed concern regarding the ACC Administrator's availability and the cost of her office furniture. He asked council to provide oversight for the ACC expenditures.

Michael Allan, 27013 Pacific Highway South, #232

Mr. Allan noted that he had been building a residential commercial project near the Marina. He complimented staff's competency and helpfulness throughout the process.

Stacy Montaque, 22001 9th Avenue South

On behalf of the Community Schools Project, Ms. Montaque thanked Council for their support of the program. She noted that community involvement in the schools was increasing.

Brenda Anders-Larson, 2115 South 250th, Kent

Representing Community Schools Project, Ms. Anders-Larson presented Mayor Thomasson with a plaque for his participation in Hero's Day at Parkside Elementary and to Councilmember Kaplan for his efforts in securing donated computers from Washington Self Insurance Association. She noted that a non-speaking student was now able to communicate with her teachers and classmates through the use of one of the computers. She also said that several Police and Park and Recreation staff members were building positive relationships with the youth in the community.

Walter West, 19715 10th Avenue South

Mr. West asked Council to maintain the current level of funding for the Senior Center.

Marc Gottshall, 22003 10th Avenue South

As a neighbor to the Field House, Mr. Gottshall addressed council regarding the following issues:

- Removal of advertising from City parks
- Softballs and golf balls in yard
- Uncovered trash containers attracting rats
- Enforcement of animal leash and scoop laws

Mayor Thomasson asked staff to research Mr. Gottshall's issues.

BOARD & COMMITTEE REPORTS

Municipal Facilities Committee

Councilmember Towe reported that the committee had reviewed marina rates and the impact of capital improvements upon those figures as part of the comprehensive Master Plan process.

Endangered Species Act

Councilmember Brazil informed Council that the Suburban Cities Association Board of Directors had passed a levy to hire a person to monitor the Endangered Species Act (ESA) process. He also noted that the Growth Management Planning Council had discussed the county planning policies as they relate to the ESA. He said that Association of Washington Cities would be conducting a workshop entitled "Endangered Species Act in the City".

Mayor Thomasson suggested that local governments raise the issue of salmon harvesting as well.

SR 509 Executive Committee Meeting

Councilmember Sherman reported that the project funding for the SR 509 EIS process had been secured and was on schedule. Other funding, such as for freight mobility study, had been delayed.

Transportation Issues

Councilmember Sherman reported that Kent was extending South 228th Street to Military Road in hopes of diverting freight traffic from SR 516. He also noted that the Sound Transit station scheduled for South 200th Street was still under discussion. He said that Sound Transit felt that no money would exist for the South 200th Street station if a station was located in the Southcenter area.

Public Safety and Transportation Committee

Councilmember Sherman said that the committee had continued review of the city's Transportation Plan.

Fire Station Construction Project

Councilmember Kaplan reported that the old fire station was being torn down to allow for the construction of the new station.

ADMINISTRATION REPORTS

Clarification of ACC Employee

City Manager Olander clarified that the ACC Administrator was an employee of the ACC rather than the City of Des Moines. He noted that the City was reimbursed by ACC for equipment and supplies utilized by the ACC.

CONSENT CALENDAR was read by Deputy City Clerk Chaufty.

1. Motion is to approve the minutes of May 11, 2000.

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 42.24.080, 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 check #71598 through #71801 in the total amount of $147,814.53
Payroll fund transfers in the total amount of $267,969.72

MOTION was made by Councilmember Kaplan, seconded by Mayor Pro Tem Sheckler, and passed unanimously to approve the consent calendar as read.

PUBLIC HEARING

2001 Community Development Block Grant Program Allocations

In order to be eligible to receive Community Development Block Grant funds for 2001, Community Development Director Kilgore explained that Council must decide to accept the city's estimated allocation of $218,166. She noted that the hearing was the first part of a two-part process. In August, Council would be asked to make decisions on specific projects. From the anticipated allocation, Community Development Director Kilgore recommended that council reserve $32,340 for public service, $28,727 for planning and administration, and approximately $4,818 for the consortium-wide emergency shelter program. She said that she did not recommend an allocation to the Housing Repair Program as the county was still spending 1999 money. She noted that residents in Des Moines would still be eligible for projects. Ms. Kilgore briefly reviewed the official HUD Income Guidelines, effective March 9, 2000. In closing, she noted that Community Development Block Grant allocations had decreased over the last four years.

Mayor Thomasson opened the public hearing and called for speakers.

None responded.

Mayor Thomasson closed the public hearing.

MOTION was made by Councilmember Brazil, seconded by Councilmember Towe, and passed unanimously to accept Des Moines' 2001 CDBG entitlement funds, that the policies included as Attachment 1 to the agenda item summary be used to guide Des Moines 2001 CDBG allocations, that the maximum allowable portion of Des Moines' 2001 entitlement funds be reserved for public services, planning and administration, and that Des Moines' program income, if any, be allocated to support the consortium-wide emergency shelter program.

Draft Resolution No. 00-100 ***[Assigned Res. No. 887]*** - Interim Land Use Controls for Pacific Ridge

Community Development Director Kilgore stated that Council had enacted interim land use controls on March 30, 2000 with Ordinance No. 1258. She noted that state law required that a public hearing be conducted within 60 days of the adoption of interim controls and that Council must adopt findings of fact. She said that the Environmental Impact Statement for the project was issued May 24, 2000. Community Development Director Kilgore also noted that the public hearing had been advertised and no written comments had been received.

Mayor Thomasson opened the public hearing and called for speakers.

None responded.

Mayor Thomasson closed the public hearing and read the title of the proposed resolution into the record.

MOTION was made by Mayor Pro Tem Sheckler and seconded by Councilmember Kaplan to enact Draft Resolution 00-100 adopting findings of fact relating to interim land use controls for the Pacific Ridge area. Motion passed, 6 – 1, with Councilmember Sherman opposed.

NEW BUSINESS

Street Light Utility District

City Manager Olander reviewed the background of Ordinance 1248 which established the Street Light Utility. He said that Council had implemented some revenue increases, directed staffing and budget reductions and adopted reduced police station hours to address the impacts of I-695 on the City's budget. He noted that the State had allocated one-time funding to partially mitigate the impacts of I-695 to the General, Streets, and Parks budget.

Finance Director McCarty explained that the utility fee structure was based upon the minimum number of parking spaces required for the use of the property. He displayed an overhead comparing the initial estimation of parking spaces to the current projections. As the projected number of parking spaces had increased, he said that staff recommended reducing the annual fee per space from $15 to $12. He explained that the Street Light Operations and Maintenance budget included the following:

Electricity	$210,000
WSDOT Maintenance Contract	40,000
Administration (One-time charge)	15,000
	$265,000

Finance Director McCarty noted that elimination of the Street Light Utility would result in moving $250,000 of expenditures per year to the General, Streets, and Parks budget. He said that the figures presented in the pre-I-695 budget had been lower since the WSDOT contract had not been included and the electricity figures had been incorrect.

If the ordinance was repealed, City Manager Olander explained that Council could reduce the year-end balance by $250,000 or implement $250,000 worth of additional cuts. He noted that no cuts would be necessary if the utility remained.

Finance Director McCarty said that current Council policy directed staff to maintain revenues approximately $350,000 above expenditures. If the utility was repealed without any additional reductions to the budget, the remaining balance would be approximately $80,000.

City Manager Olander stated that even with the inclusion of the Street Light Utility, Council's policy to maintain a 7% reserve would not be met in the Year 2000 budget. He asked Council to consider the impact of elastic revenues on the city's budget.

Councilmember Kaplan stated his preference for not establishing a fee that would be more difficult to repeal at a later date.

Public Works Director Heydon reviewed the following potential use of capital capacity as identified in the Six-Year Traffic Improvement Plan:

Signals
- 24th Avenue South/South 216th Street
- 16th Avenue South/South 260th Street
- Smarter system in downtown corridor along Marine View Drive
- Signal cordination at South 240th Street/Marine View Drive
- 30th Avenue South/South 216th Street

Street Lights
- Pacific Ridge area
- Woodmont/Redondo area
- Others as identified in Puget Sound Energy's study

Councilmember Sherman expressed support for repealing the ordinance as it was a new tax. He felt that cuts could be made when the economy turned.

MOTION was made by Councilmember Sherman and seconded by Councilmember Wasson to eliminate the Street Light Utility District retroactive to January 1, 2000.

Councilmember Towe spoke against the motion. He said that the budget picture was still unclear and expressed concern with the City's general level of service. He felt that it would be difficult to reinstate the utility at a later time.

Councilmember Kaplan acknowledged the long-term benefits but expressed concern that the utility would never end. He felt that if the city experienced a revenue crisis then services should be prioritized. As the utility was not yet in place, he felt it should be implemented at a later date when it was needed.

Mayor Thomasson voiced his support for sustaining the street light utility. He felt the utility met the capital needs of the program as well as some of the City's safety needs. He also noted that Council had received several requests for additional services.

Councilmember Sherman said that he originally supported the establishment of the utility, as he did not believe the state would provide any funding assistance. He believed that it would be difficult to remove an existing tax or fee. Councilmember Sherman stated his belief that the utility was regressive as everyone paid the same despite different circumstances. He felt that Council should not establish a new tax source.

Mayor Pro Tem Sheckler stated that he would not support the motion as the state had not provided an on-going funding source. He felt that the utility provided a stable source of income.

Councilmember Wasson said he would support the motion as he felt the city did not need the money at this point. If the economy took a downturn, he felt that Council could enact the tax at that point.

Councilmember Brazil stated that he would not support the motion as he believed that the city and state should maintain a reserve fund to address unforeseen emergencies. He felt the street light utility provided a fair revenue source for a citywide benefit.

VOTE ON MOTION: Motion failed, 3 – 4, with Mayor Thomasson, Mayor Pro Tem Sheckler, and Councilmembers Brazil and Towe opposed.

MOTION was made by Councilmember Sherman and seconded by Councilmember Kaplan to reduce the annual fee per parking space from $15 to $7.50.

Councilmember Sherman felt that the City would still cover its losses with the reduction in the annual fee.

Councilmember Towe spoke against the motion as he felt the higher fee allowed further progress in safety issues.

VOTE ON MOTION: Motion failed, 3 – 4, with Mayor Thomasson, Mayor Pro Tem Sheckler, and Councilmembers Brazil and Towe opposed.

NEXT MEETING DATE - Study Session June 1, 2000

ADJOURNMENT

The meeting was adjourned at 9:19 p.m.

Respectfully submitted,

Angela M. Chaufty
Deputy City Clerk