

EXECUTIVE SESSION - 6 p.m. Litigation & Labor Negotiations

AGENDA
REGULAR MEETING DES MOINES CITY COUNCIL

August 22, 2002 - 7:30 p.m.

CALL TO ORDER - Mayor Wasson

PLEDGE OF ALLEGIANCE

ROLL CALL

CORRESPONDENCE

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

PRESIDING OFFICER'S REPORT

ADMINISTRATION REPORTS

CONSENT CALENDAR*

1. Motion is to approve the minutes of July 25 and August 1, 2002.
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 checks # through # & electronic fund transfers in the total amount of \$

Payroll fund transfers in the total amount of \$

3. Three motions:

- A. Motion is to purchase a 1974 Champion mobile home from Mr. and Mrs. Delgado in the amount of \$8,751.05 plus closing costs, and to authorize the City Manager to sign the purchase and Sale Agreement substantially in the form as submitted.
- B. Motion is to purchase a 1964 Marlette mobile home from Mr. Glaefke in the amount of \$5,790.34 plus closing costs, and to authorize the City Manager to sign the Purchase and Sale Agreement substantially in the form as submitted.
- C. Motion is to purchase a 1972 Fleetwood mobile home from Mr. Cordoba and Ms. Ruiz in the amount of \$8,467.70 plus closing costs and to authorize the City Manager to sign the Purchase and Sale Agreement substantially in the form as submitted.

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

Thomassen absent & excused
we could have wanted out of order City atty

Benjamin. pool committee write - SETBD / waterland greenrod - budget / SE Center

3 individuals 3 public hrs

3 minutes
can + Krista

PUBLIC HEARING

Law Enforcement Grant for Domestic Violence Advocate Program

SUMMARY: The purpose of this Public Hearing is to seek approval to accept the Local Law Enforcement Block Grant for 2003 to continue the Domestic Violence Advocate program. The City of Des Moines is eligible to receive these funds and the funding from this new grant would ensure that the Domestic Violence Advocate position continues through December of 2003.

passed
6-0

Screenrod Left 9:30

CONTINUED PUBLIC HEARING

Draft Ordinance No. 02-107 Regulations for Secure Community Transition Facilities (SCTF) -
1st Reading

SUMMARY: During the 2001 and 2002 sessions, the Washington State Legislature adopted new regulations for the citing of SCTF's. A SCTF is a confinement facility for sexually violent predators who have completed their prison sentence, but are not sufficiently rehabilitated for release into society. If the City does not adopt land use regulations for SCTF's by September 1, 2002, DSHS may preempt all of Des Moines zoning, permitting, and inspection requirements when siting a SCTF. Administration strongly encourages the Council to adopt land use regulations for these facilities, either as written or as amended by the Council. This public hearing was opened at the August 1, 2002 meeting and continued to this agenda to allow for more public written and oral comments.

Moved
to 2nd
reading
4-1
9/12/02

Benjamin

OLD BUSINESS

NEW BUSINESS

1. 2003 Preliminary Budget Presentation

SUMMARY: The purpose of this report is to present to the City Council for comment, input and direction, a conceptual plan to manage the revenue shortfall of \$1,802,045 projected for the 2003 budget.

passed

freeze travel
library
or
pulled Mayor?
action
resolution
LW

2. Draft Resolution No. 02-181 Authorize the Chamber of Commerce to Operate a Beer Garden at the Nibble of Des Moines

SUMMARY: The Greater Des Moines Chamber of Commerce is seeking City Council approval to operate a Beer Garden at its annual "Nibble of Des Moines" festival that will be held on September 28 and 29, 2002. This festival takes place in the Des Moines Marina and typically has had very little impact on Marina operations. As in past years, the festival will include food booths, arts & crafts booths, entertainment and commercial exhibits.

passed
3-2

w/ carnival
amend

pulled by presiding officer Page 3

3. Cancellation of the 2002 Agreement for Services between the City of Des Moines and the Regional Commission on Airport Affairs

SUMMARY: The City of Des Moines contracts with the Regional Commission on Airport Affairs for services which are "of assistance to the City in regards to the third runway or expansion of Sea-Tac Airport." The 2002 contract is for \$28,000 and may be terminated by either party upon thirty (30) days written notice. Mayor Wasson is requesting that the City Council consider cancellation of this contract.

pulled by presiding officer

4. Draft Resolution No. 02-168 Supporting an Amendment to King County Charter, Reducing the King County Council from 13 to 9 Members

SUMMARY: This draft resolution supports passage of the Charter amendment which would create a smaller county government and reduce taxpayer costs. The proposed Charter amendment would also reduce Council voting requirements related to the proposed size of the Council, require redistricting of the County into nine districts instead of the current thirteen, and would phase in the reduction of Councilmembers with elections and terms of office. The proposed amendment would have to be passed by both the King County Council and the voters of King County.

NEXT MEETING DATE - Study Session September 5, 2002

ADJOURNMENT

*Disburse process
KC Charter
amend
see agenda item
& call KC
Council*

AGENDA ITEM

BUSINESS OF THE CITY COUNCIL City of Des Moines, WA

SUBJECT: Domestic Violence Grant

ATTACHMENTS: Local Law Enforcement Block
Grant for Domestic Violence
Advocate Program

FOR AGENDA OF: 8/22/02

DEPT. OF ORIGIN: Legal

DATE SUBMITTED: 8/15/02

CLEARANCES:
[X] Legal *LAM*

APPROVED BY CITY MANAGER

FOR SUBMITTAL: *AS*

PURPOSE AND RECOMMENDATION

The purpose of this report is to conduct a public hearing and to seek City Council approval to accept the Local Law Enforcement Block Grant for 2003.

It is recommended that the council discuss accepting the Local Law Enforcement Block Grant to continue the Domestic Violence Advocate Program and to authorize the City Manager or his designate to execute the papers to exercise said grant.

MOTION: "To accept the Local Law Enforcement Block Grant to continue the Domestic Violence Advocate Program and to authorize the City Manager or his designate to execute the papers to exercise said grant."

BACKGROUND

The City of Des Moines is eligible to receive funds from the Local Law Enforcement Block Grant. This funding is needed to continue the position of Domestic Violence Court Advocate. The position has received funding in the last year from the Local Law Enforcement Block Grant, however that funding will only pay for the Advocate position through the middle of next year. The funding from this new grant would ensure that the Domestic Violence Advocate position continues through December of 2003.

3
4
The Local Law Enforcement Block Grant Program requires each jurisdiction to hold at least one public hearing regarding the proposed use of the funds prior to the receipt and obligation of the funds. The hearing can be part of a city council or commission meeting. Notice of this hearing was posted at Des Moines City Hall, Redondo Store/Post Office, the Marina and the Des Moines and Redondo Libraries. Notices were posted on August 9, 2002.

DISCUSSION

1
The Domestic Violence Advocate works about 32 hours per week carrying a caseload of about 285 cases. The domestic violence cases make up almost half of all criminal cases in the City of Des Moines. The advocate works under the supervision of the City Attorney or Criminal Prosecuting Attorney, assisting in the prosecution of persons charged with domestic violence-related crimes and functioning as a liaison between victims and the criminal justice system. The advocate provides support and assistance to victims of these violent crimes. The advocate educates victims to the court procedures and the dynamics of domestic violence. The advocate provides counseling, crisis intervention and referrals to social service agencies with high priority given to the safety of victims. Direct work with the Prosecuting Attorney consists of preparing and developing domestic violence cases; gathering evidence such as certified court documents and 911 tapes. The advocate maintains contact with victims and witnesses and makes arrangements for their attendance at court hearings. The advocate also assists police officers to locate offenders on warrant status.

2 22,000
3,000 March
200/dense 2X probation
ALTERNATIVES

None

Taking no action would eventually lead to the elimination of the Domestic Violence Program.

FINANCIAL IMPACT

Accepting this funding would not impact the city financially. The 10 percent matching requirement can be pulled from the domestic violence probation costs collected from each case, as it is resolved.

RECOMMENDATION

It is recommended that the City Council accept funding from the Local Law Enforcement Block Grant.

CONCLUSION

The Domestic Violence Advocate position is an important and necessary service to the victims in the City of Des Moines and to the Prosecuting Attorney. We are respectfully requesting that City Council accept these funds so that the City of Des Moines can continue to provide services to victims and to hold offenders accountable for their criminal actions.



FY 2002 Local Law Enforcement Block Grants Program Des Moines City, WA



[Application](#)
 [Award](#)
 [RFD](#)
 [Grant Changes](#)
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Grant Handbook View Only

Application was submitted on July 01, 2002 05:26:19 PM EDT. [Click here](#) to print a copy.

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LLEBG FY 2002 Application			
Date Certified : 01-JUL-02		Date Submitted : 01-JUL-02	
Jurisdiction Information			
Jurisdiction: Des Moines City	County: KING	State: WASHINGTON	CDFA Number: 16.592
Budget Information			
Eligible Award Amount: \$27,004	Final Award Amount: \$27,004	Match Amount: \$3,000	Matching Funds Description: State and Local Government Units
CEO Information			
Title: City Manager	Name Prefix: Mr.	Last Name : Piasecki	First Name : Tony
Address: 21630 11th Avenue South Des Moines, WA 98198-6398	Telephone: (206) 870-6551	Fax: (206) 870-6540	Email: tpiasecki@cityofdesmoines.com
Program Contact Information			
Title: City Attorney	Name Prefix: Ms.	Last Name : Marousek	First Name : Linda
Address: 21630 11th Ave South Des Moines, WA 98198-6398	Telephone: 206-870-6526	Fax:	Email: lmarousek@cityofdesmoines.com
Application Details			
Date Agreed to Trust Fund Requirement: 01-JUL-02		Applicant is PSOH B Compliant: Yes	
Date Agreed to SPOC Requirement: 01-JUL-02		Date Agreed to SAA Review Requirement: 01-JUL-02	
Date Agreed to Certifications: 01-JUL-02		Date Agreed to Assurances: 01-JUL-02	

Kristen Gabel

To: Linda Marousek

Subject: RE: Award Approval Notification. [Award No. 2002-LB-BX-1491]

-----Original Message-----

From: ojp@ojp.usdoj.gov [mailto:ojp@ojp.usdoj.gov]

Sent: Friday, July 26, 2002 8:36 AM

To: tpiasecki@cityofdesmoines.com; lmarousek@cityofdesmoines.com

Subject: Award Approval Notification. [Award No. 2002-LB-BX-1491]

Congratulations! Your Award for the FY 2002 Local Law Enforcement Block Grants (LLEBG) Program has been approved by the Bureau of Justice Assistance (BJA). You have 45 calendar days from the date on your Award to review and accept this Award. All Awards not accepted within this 45 day period will be deobligated and funds will be redistributed among FY 2003 eligible applicants during the next LLEBG funding cycle.

To accept your award, go to

http://grants.ojp.usdoj.gov:8003/gms/plsql/llebg_login.llebg_main and log on using your user id and password.

You have 90 calendar days from the date on your Award to submit your Request for Drawdown. Any funds not drawn down within this 90 day period will be deobligated and funds will be redistributed among FY 2003 eligible applicants during the next LLEBG funding cycle.

Again, please do not reply directly to this message as your reply will not reach us.

\$200/case
DV probation \$17,000

City of Des Moines Domestic Violence Offender Accountability Program

The objective of this program is to play a role in the prevention and intervention of domestic violence in the community, to hold perpetrators accountable for their criminal behavior and to assist victims to ensure safety and in preparing for and participating in the judicial system.

The city recognizes domestic violence as a societal issue that affects the entire community, not just victims and families involved in such situations. The project will consist of a working group to include a criminal prosecutor, detectives and a domestic violence advocate.

Advocate's role: To assist the prosecutor and detectives with the prosecution of domestic violence cases and to assist victims and witnesses involved. Victim assistance will include

- **Safety planning**—setting a plan of action during an explosive argument, safety when preparing to leave an abusive partner and safety in victims own home.
- **Obtaining necessary court orders**—when, where and how to obtain a civil protection order or family court documents.
- **Educating victim on the criminal justice system**—explain how and why charges are filed and who files them, what takes place at the different court hearings, what a trial is, what victim's rights are, how to set up a no contact order hearing.
- **Preparing victim for court appearances**—explain what victim can expect at a trial, where she/he will sit, who will be present. Explain what happens at the no contact order hearings and what Judge might ask victim.
- **Communicate victim's needs and desires to the court and prosecutor**—victim's desired outcome of case, treatment needs of defendant, any threats made or violations.
- **Refer victim to appropriate community agencies**—free legal services that require an advocate referral. Refer them to community advocates for confidential assistance or assistance with finding a safe place to live. Inform victims of various victim assistance programs.

Additional Duties

- **The advocate will monitor domestic violence perpetrator's compliance with court orders**—notify court of new violations or noncompliance disclosed by victim.
- **Gather evidence and contact witnesses**—order and review 911 tapes. Contact witnesses. Order certified documents relevant to case.
- **The advocate will also hold office hours at the local Mount Rainier High School in the counseling center to assist teens involved in domestic/dating violence**—meet with students referred by concerned teachers and counselors.

**Local Law Enforcement Block Grants Program
(LLEBG)**

LLEBG Program funds must be spent on one or more of the following seven purpose areas:

1. Supporting Law Enforcement
 - a. Hiring, training, and employing new, additional law enforcement officers and necessary support personnel on a continuing basis.
 - b. Paying overtime to currently employed law enforcement officers and necessary support personnel to increase the number of hours worked by such personnel.
 - c. Procuring equipment, technology, and other material directly relate to basic law enforcement functions.
2. Enhancing security measures in and around schools and in and around other facilities or locations that the unit of local government considers special risks for incidents of crime.
3. Establishing or supporting drug courts.
4. Enhancing the adjudication of cases that involve violent offenders, including cases that involve violent juvenile offenders.
5. Establishing a multijurisdictional task force, particularly in rural areas, composed of law enforcement officials that represent units of local government. This task force must work with federal law enforcement officials to prevent and control crime.
6. Establish crime prevention programs that involve cooperation between community residents and law enforcement personnel to control, detect, or investigate crime or to prosecute criminals.
7. Defraying the cost of indemnification insurance for law enforcement officers.



PUBLIC HEARING

The City of Des Moines recognizes Domestic Violence as a societal issue that affects the entire community, not just victims and families involved in such situations. For the past several years, the city has worked hard to play a role in prevention and intervention efforts to address domestic violence issues. Des Moines has a working group that consists of a criminal prosecutor, detectives and a domestic violence advocate. The advocate assists in the prosecution of domestic violence cases and works with victims on safety planning, explaining the legal system and providing community resources.

The U.S. Department of Justice has awarded the City of Des Moines grant funds to continue our domestic violence program, primarily through the efforts of our advocate who works with victims to improve safety as well as perpetrators to verify compliance with appropriate treatment programs ordered by the court. Please join us in a public hearing to discuss the use of this funding in the prevention and intervention of domestic violence.

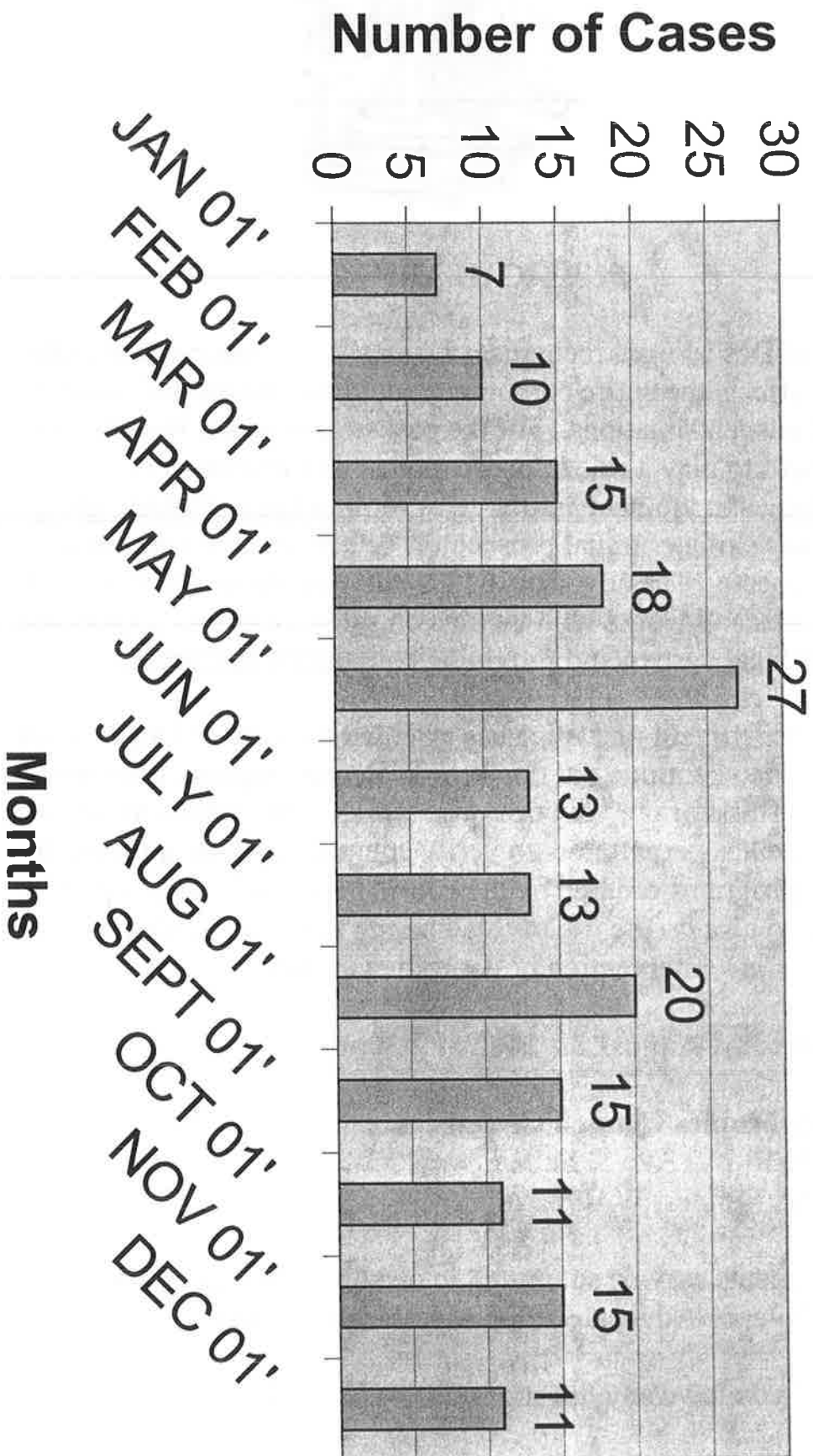
When: Thursday, August 22, 2002 at 7:30pm

Where: Des Moines Council Chambers
21630 11th Ave S. Suite C
Des Moines, WA 98198

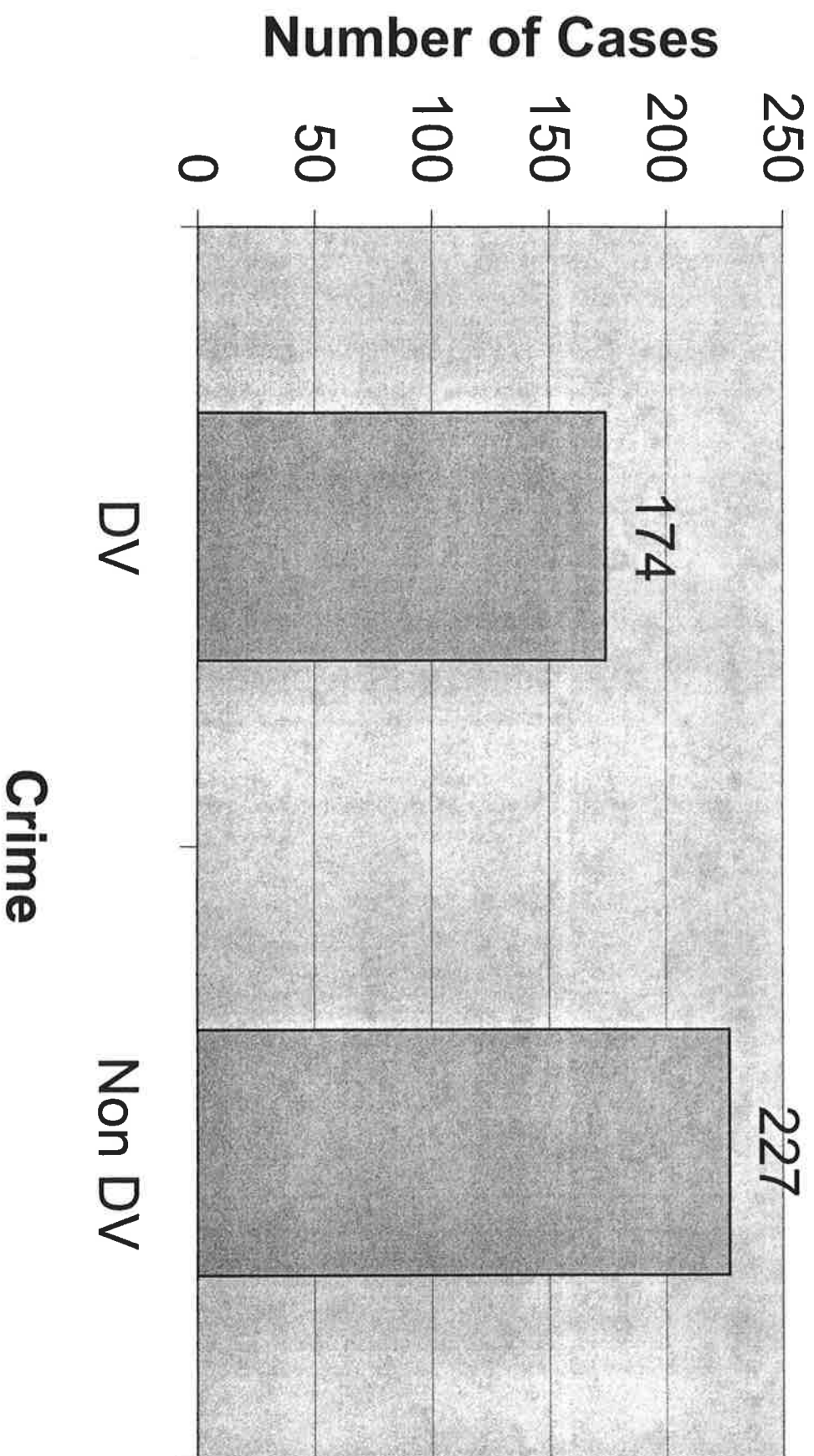
Written comments may be submitted in person or by mail to the Domestic Violence Advocate at the address listed above.

Please call if you have any questions: 206-870-6546

Misdemeanor DV Cases Filed in 2001



DV vs Non DV for 2001



(

(

Total revenue for DV Costs Bar Code 357.30.00

1999	2000	2001
Sep-99 \$ 471.80	Jan-00 \$ 310.11	Jan-01 \$ 268.50
Oct-99 \$ 233.00	Feb-00 \$ 407.69	Feb-01 \$ 402.23
Nov-99 \$ 268.00	Mar-00 \$ 16.43	Mar-01 \$ 506.46
Dec-99 \$ 249.59	Apr-00 \$ 417.29	Apr-01 \$ 1,555.44
Total \$ 1,222.39	May-00 \$ 103.25	May-01 \$ 894.08
	Jun-00 \$ 179.95	Jun-01 \$ 711.37
	Jul-00 \$ 120.86	Jul-01 \$ 1,140.28
	Aug-00 \$ 200.00	Aug-01 \$ 1,346.68
	Sep-00 \$ 40.46	Sep-01 \$ 811.77
	Oct-00 \$ 241.67	Oct-01 \$ 811.11
	Nov-00 \$ 295.00	Nov-01 \$ 1,120.93
	Dec-00 \$ 442.86	Dec-01 \$ 520.21
	Total \$ 2,775.57	Total \$ 10,089.06

2002
Jan-02 \$ 553.58
Feb-02 \$ 433.30
Mar-02 \$ 765.85
Apr-02 \$ 457.29
May-02 \$ 706.22
Jun-02 \$ 348.87
Jul-02
Aug-02
Sep-02
Oct-02
Nov-02
Dec-02
Total \$ 3,265.11

Grand Total : \$ 17,352.13

A G E N D A I T E M

BUSINESS OF THE CITY COUNCIL City of Des Moines, WA

SUBJECT: 2003 Budget Conceptual Plan

FOR AGENDA OF: August 22, 2002

ATTACHMENTS:

DEPT. OF ORIGIN: City Manager's Office

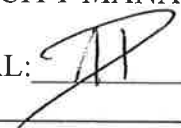
Attachment 1 - Budget Analysis for 2003
Attachment 2 – Fund and Department Cuts

DATE SUBMITTED: August 15, 2002

CLEARANCES:

[] _____

APPROVED BY CITY MANAGER

FOR SUBMITTAL:  _____

Purpose and Recommendation

The purpose of this report is to present to the City Council for comment, input and direction, a conceptual plan to manage the revenue shortfall of \$1,802,045 projected for the 2003 budget. Staff recommends this approach to the 2003 budget.

Suggested motion:

“I move to adopt the City Manager’s recommended conceptual plan to manage the projected shortfall in the 2003 budget and direct administration to continue developing the budget as outlined in the plan.”

If there are any items that the City Council would like added, changed or deleted from the plan, a motion specific to that item would be appropriate. After the City Council adopts any changes to the City Manager’s plan, the suggested motion to adopt the plan would read:

“I move to adopt, with the approved modifications, the City Manager’s recommended conceptual plan to manage the project shortfall in the 2003 budget and direct administration to continue developing the 2003 budget as outlined in the plan.”

Background

Based on projections of expected revenues and expenditures for 2003, there will be a revenue shortfall of \$1,802,045, if the City does not reduce expenditures, find other revenue sources, and/or use reserves. The cause of the shortfall is essentially two-fold: 1) I-695 backfill will be reduced from approximately \$1.4 million to \$367,000 for 2003 (and most likely to nothing for future years); and 2) expenses have been and are projected to increase faster than revenues (4% vs. 2% or approximately \$250,000 per year), creating a built-in structural imbalance.

Discussion

In order to explore all options to balance the 2003 budget, staff has spent a great deal of time analyzing all possible avenues for the City to explore. To gauge what impact only cutting the budget to balance it would have on operations, staff put together cut packages equal to 5%, 10% and 15% of the budget, see the summary of these cuts at the top of Attachment 1 and Attachment 2 for more detail. Staff also reviewed the City's budget and operations for potential efficiencies, estimated the amount of one-time revenues the City will most likely receive in 2003, projected the size of our reserves (ending balance and revenue stabilization fund), and brainstormed potential new revenue sources (see Attachment 1).

To start the balancing process, staff recommends adoption all of the operations efficiencies listed on the bottom half of page one of Attachment 1. These total \$203,273. Once implemented, they are sustainable changes that will result in an on-going, annual savings of over \$200,000. Staff also recommends implementation of the following operational policy changes from page two of Attachment 1:

Unemployment Insurance fund premiums	\$ 17,000
North Wing Debt Service to MCI	133,142
Use a portion of Airport Defense Utility Tax (leaving \$200,00 in Airport Defense)	168,000
Replace 1 (versus 3) police vehicles in 2003	70,000
<u>No computer replacements in 2003</u>	<u>52,114</u>
Total	\$440,256

Of the recommended operational policy changes, the police vehicle and computer replacements (\$122,114) are changes for the 2003 budget year only. They are not sustainable year in and year out. Combining the operational efficiencies with the operation policy changes yields \$643,529 in savings for 2003.

As noted in Attachment 1, staff has projected one-time revenues for 2003 in the amount of \$1,135,000 and a fund balance of \$664,207. Adding these to the balance of the Revenue Stabilization Fund results in a total of \$3,225,773 available for use in balancing the budget. Given the City Council's direction at the annual retreat and previous discussions at City Council meetings this year to use reserves in a conservative fashion to balance the 2003 budget, staff proposes using \$794,631 worth of reserves and one-time revenues. Staff also recommends transferring \$133,142 of reserves to the Municipal Capital Improvement (MCI) Fund to pay for the debt service of the North Wing project that is recommended to be moved from the General Fund to MCI. This would leave a total of \$2,318,000 of reserves at the end of 2003, split out as follows: \$875,000 for the required 7% fund balance, \$1,000,000 in the Revenue Stabilization Fund (the fund formula, using the new levels of revenues, would call for a funding level of

\$975,000) and \$443,000 of the one-time building permit fees, carried in the year-end fund balance, for use in servicing the school district and community college's building permits in future years.

Reserves/One-Time Revenues	\$3,225,773
Transfer to MCI for North Wing Debt Service	(133,142)
Balance 2003 Budget	(794,631)
Remaining Reserves/One-Time Revenues	\$2,318,000
Revenue Stabilization	\$1,000,000
7% Fund Balance at 2003 Year-end	875,000
Un-used One-Time Building Permit Fees	443,000
Reserves at 2003 Year-end	\$2,318,000

As far as new revenues are concerned, staff recommends only two. The first is to adopt a business registration fee of \$30 for businesses located outside of Des Moines that do business in Des Moines. This will allow the Finance Department to better track these businesses and make sure that sales and other taxes due the City as a result of these businesses activities in Des Moines are in fact forwarded to the City. Also, staff recommends increase the animal license fee by \$5.00. Animal license fees have not been increase since 1988. These two actions would result in an additional \$18,700 in reveune

Using the above figures, the status of balancing the 2003 budget is as follows:

Projected 2003 Revenue Shortfall	(\$1,802,045)
Operational efficiencies/policy changes	643,529
Use of Reserves and One-time Revenues	794,631
New Revenue	18,700
Net Total	(\$345,185)

Adopting staff recommendations to this point still leaves a shortfall of \$345,185 to fill. Staff conducted an initial review of the 5%, 10%, and 15% cuts and recommends taking those highlighted with a heavy-bordered rectangle on Attachment 2. These total to an additional \$93,042 in savings and a remaining shortfall to fill of \$252,143. It should be noted that \$13,000 of these "cuts" are the result of cost savings in salaries in the Legal Department and the prosecutor's contract.

Because staff continues to research other cost savings ideas, including ways to reduce 2002 expenditures so a higher fund balance can be carried into 2003, no other cuts are being proposed at this time. The major areas for cost cutting that staff is exploring are in health insurance costs, salaries (wage freeze or cut for 2003 and voluntary unpaid furloughs of up to 5 days in 2003), and overtime.

Finally, the City Council also directed staff to identify other sources of revenue that would not result in an additional tax burden on Des Moines residents through an aggressive economic development plan. Staff has completed the first draft of a plan and will present it to the Finance and Economic Development Committee at its August 26, 2002 meeting.

Alternatives

Attachments 1 and 2 include many other options for the City Council to consider that staff is not proposing, including not replacing equipment/vehicles next year (those other than police vehicles), various revenue possibilities (e.g. property tax levy lid lift, B&O tax, and park district), and many other budget cuts that would result in significant reductions in services to the public.

Recommendation

Staff recommends that the City Council adopt the 2003 Budget Conceptual Plan as submitted and provide direction regarding the manner in which staff should pursue filling the remaining shortfall of \$252,143. The goal of this plan is to provide time for the City to increase revenues through economic development while maintaining services levels to our residents or to cut the budget and lower service levels gradually.

Concurrence

The Finance and Economic Development Committee reviewed and commented on this plan at its August 12, 2003 meeting and plans to continue its review at its August 20, 2003 meeting.

BUDGET ANALYSIS FOR 2003 -- GENERAL & STREET FUNDS

REVENUE SHORTFALL BASED ON MODEL:				\$ (1,802,045)
DEPARTMENT CUT OPTIONS:	5% Cuts	10% Cuts	15% Cuts	FIRST LEVEL CUTS (See Detail)
GENERAL FUND:				
Council / Legislative	\$6,522	\$13,044	\$19,566	\$6,522
Municipal Court	\$18,465	\$36,930	\$55,395	\$15,495
Executive	\$12,921	\$25,842	\$38,763	\$2,325
Finance	\$26,201	\$52,402	\$78,603	
Record Services	\$5,840	\$11,680	\$17,520	
City Attorney	\$15,285	\$30,570	\$45,855	\$32,522
Personnel	\$6,363	\$12,726	\$19,089	
Central Services	\$4,485	\$8,970	\$13,455	
All City Buildings	\$6,549	\$13,098	\$19,647	
Miscellaneous Memberships*	\$0	\$0	\$0	
Police	\$272,843	\$545,686	\$818,529	
Jail Services*	\$0	\$0	\$0	
Fire Control*	\$0	\$0	\$0	
Pollution Control*	\$0	\$0	\$0	
Engineering Services	\$22,345	\$44,690	\$67,035	
Community Information Svcs	\$4,060	\$8,120	\$12,180	\$36,205
Community Development	\$47,073	\$94,146	\$141,219	
Health & Human Services	\$4,008	\$8,016	\$12,024	
Parks & Recreation (Incl Sr Ctr)	\$78,902	\$157,804	\$236,706	
Transfers/Contingencies	\$0	\$0	\$0	
Total General Fund	\$531,862	\$1,063,724	\$1,595,586	\$93,069
STREET FUND:	\$41,782	\$83,564	\$125,345	
TOTAL GEN'L & STREET FUNDS	\$573,644	\$1,147,288	\$1,720,931	
BALANCE after Gen'l & Street Fund Cuts:	-\$1,228,401	-\$654,757	-\$81,114	
Operational Efficiencies (Gen'l & Str Fds only)				
Changing to LED traffic lights	\$20,000			
Fuel change to regular	\$2,125			
Use of State Central Stores as vendor	\$10,000			
Janitorial Services	\$10,730			
Cell phone use policy change (estimate only)	\$20,000			
Purified water use policy change	\$2,400			
Consolidating grounds maintenance	\$22,000			
Records Storage to City Facilities	\$10,000			
City Hall Facility Entrance Changes	\$42,651			
Elim CSO position in lieu of p-time Transport Officer	\$26,367			
Planning Manager Reclass to Land Use Planner 2	\$37,000			
Total Operational Efficiency Savings	\$203,273			
COMMENTS:				
** Details attached				
* Excluded per CM				
Excluded is add'l cost of reclass of CSO to part-time Jail Transport Offcr =\$25,365				
* Excluded per CM				
* Excluded per CM				
* Excluded per CM				
All cost cuts are in the Street Fund per Public Wks Director				
Most supporting cuts are in Records Services				
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BUDGET ANALYSIS FOR 2003 -- GENERAL & STREET FUNDS

	Future Year Projections:		
	2003	2004	2005
One-Time Revenues:			
I-695 Backfill Revenues	\$367,000	\$0	\$0
Building Permits for School & College Constr	\$623,000	\$772,630	\$22,035
Sales Tax on School & College Construction	\$145,000	\$512,600	\$563,100
Total One-Time Revenues	\$1,135,000		

Operational Policy Changes:			
Unemploy Insurance Fd Premiums @ \$.25	\$17,000		
Debt transfer to MCI Fund	\$133,142		
Airport Defense Funding -- 1% Utility Tax	\$368,000		
Skip Replacement User Charges - Equip Rtl	\$183,268		
Skip Replacement User Charges - Computer Eq	\$52,114		
Delete Replacement of 3 Police Cars in 2003	\$120,000		
(Note: Vacant positions of \$150,000 already reflected in the deficit calculation)			
Total Operational Policy Changes	\$873,524		

This is the 2002 Budgeted allocation
Early Estimates
Early Estimates

Use of General & Street Fund Reserves:	
General Fund estim balance at 12/31/02	\$384,357
Street Fund estim balance at 12/31/02	\$279,850
Total Fund Reserve Use	\$664,207

Use of Stabilization Reserves:	
Full Balance of Stabiliz Reserves	\$1,426,566
Total Stabilization Reserve Use	\$1,426,566

Actual Balance in General Ledger

Potential Revenue Options:

Business Registration for o/s City Businesses:	
Maintaining Commercial Rate at \$150	
Decreasing Commercial Rate to \$100	
Decreasing Commercial Rate to \$50	
Decreasing Commercial Rate to \$30	
Option ***** Total at Rates noted:	

Animal License Increase:

Increase of \$2	\$2,800
Increase of \$3	\$4,200
Increase of \$5	\$7,000

Hotel/Motel Tax @ 1%	\$13,000
Admissions Tax @ 5%	\$1,300

Metropolitan Park District Levy:

Rate of \$0.75 per \$1000 AV	\$1,371,245
Rate of \$0.50 per \$1000 AV	\$914,000

City B&O Tax	\$350,000
Property Tax Lid Lift to \$1.60/1000 AV	\$367,767

****Rates** *Revenues are for only o/s City businesses and not a composite of old and new businesses. Sales tax generation is also expected.
\$30
\$150
\$30
\$150
**Revenues composite for inside & o/s City businesses at rates indicated. Sales tax generation is also expected.

Options*	Options**	**Busn
\$58,500		H/Occ
\$39,000		Comm
\$19,500		Outside
\$11,700		RtIs
	\$11,700	

At \$2 = \$2,800; At \$5 = \$7,000

At the max. 0.002 rate
This is a \$0.20 incr / \$1000AV; each cent increase = \$18,283 or \$1.00 on a \$100,000 home

BUDGET ANALYSIS FOR 2003 -- GENERAL & STREET FUNDS

OTHER CITY FUNDS -- 5%, 10%, 15% Cuts:				
	5% Cuts	10% Cuts	15% Cuts	
Equipment Rental Fund (Operations)	\$12,540	\$25,080	\$37,620	
Marina Operations	\$79,403	\$158,807	\$238,210	
Surface Water Management Operations	\$34,221	\$68,442	\$102,663	

FUND & DEPARTMENT CUTS BY DEPARTMENTS

BUDGET CUT DETAIL BY DEPARTMENT:

5% CUT 10% CUT 15% CUT

GENERAL FUND:

COUNCIL/LEGISLATIVE

Travel	\$ 6,522	\$ 13,045	\$ 19,567
Additional Travel	\$ (6,522)	\$ (6,522)	\$ (6,522)
Remaining Travel	\$ (6,522)	\$ (6,523)	\$ (6,523)
Seminars & Conferences	\$ (3,107)	\$ (3,107)	\$ (3,107)
Professional Services	\$ (415)	\$ (415)	\$ (415)

MUNICIPAL COURT

Delete File Clerk (shared with Legal)	\$ 18,465	\$ 36,930	\$ 55,395
Advertising	\$ (15,495)	\$ (15,495)	\$ (15,495)
Office supplies	\$ (750)	\$ (750)	\$ (750)
Special projects clerk --DECISION CHANGE	\$ (2,220)	\$ (2,048)	\$ (2,253)
Court Clerk reduced to 75%	\$ (18,637)	\$ (18,637)	\$ (18,637)
Court Clerk reduced to 35% -- Add'l Cut	\$ (18,260)	\$ (18,260)	\$ (18,260)

EXECUTIVE

Travel	\$ 12,921	\$ 25,842	\$ 38,763
Remaining Travel	\$ (1,475)	\$ (1,475)	\$ (1,475)
Dues & Registrations	\$ (850)	\$ (850)	\$ (850)

FINANCE

Armored Car Services	\$ 26,201	\$ 52,402	\$ 78,602
Cellular Phone	\$ (3,300)	\$ (3,300)	\$ (3,300)
Microflex	\$ (620)	\$ (620)	\$ (620)
Staff Accountant #1	\$ (5,000)	\$ (5,000)	\$ (5,000)
Staff Accountant #2	\$ (18,731)	\$ (46,026)	\$ (46,026)
Overtime Adjustment as Offset to Balance Cut:	\$ 1,450	\$ 2,544	\$ (1,430)

RECORD SERVICES

Eliminate Receptionist	\$ 5,840	\$ 11,680	\$ 17,519
Overtime (additions are an offset to excess cut)	\$ (42,651)	\$ (42,651)	\$ (42,651)
Prof Services-Archive Services	\$ 8,983	\$ (1,200)	\$ (4,500)

CITY ATTORNEY

New City Attorney	\$ 15,285	\$ 30,570	\$ 45,855
New Assistant City Attorney	\$ (14,802)	\$ (14,802)	\$ (14,802)
Law Library on-line vs CD's	\$ 2,975	\$ 2,975	\$ 2,975
File Clerk .30 FTE	\$ (4,000)	\$ (4,000)	\$ (4,000)
Professional Services-New Prosecutor	\$ (15,495)	\$ (15,495)	\$ (15,495)
Supplies-New Prosecutor provides	\$ (1,200)	\$ (1,200)	\$ (1,200)
Professional Services-Outside Counsel	\$ (300)	\$ (300)	\$ (300)
Travel	\$ (9,000)	\$ (9,000)	\$ (9,000)
Miscellaneous-Bar Dues & Cont. Legal Education	\$ (2,500)	\$ (2,500)	\$ (2,500)
Overtime	\$ (1,533)	\$ (1,533)	\$ (1,533)

PLEASE NOTE:

THE BOXED ITEMS HAVE BEEN ADDED TO THE 'CUTS - FIRST LEVEL' IN THE '2003 CONCEPTUAL BUDGET PLAN'

Cuts largely supported by excess cuts in Records Services

Revenue exceeds the cost & cost is related to revenue.
Currently supported by rev. from Marina/Swm/MCI Funds

The \$42,651 receptionist position cut was moved to efficiencies:
This staff cut was used to balance needed cuts in other Admin functions.
If cut here, the excess was \$27,828 (5%); \$30,971 (10%); & \$ 30,832 (15%).

FUND & DEPARTMENT CUTS BY DEPARTMENTS

PLEASE NOTE:

THE BOXED ITEMS HAVE BEEN ADDED TO THE 'CUTS - FIRST LEVEL' IN THE '2003 CONCEPTUAL BUDGET PLAN'

BUDGET CUT DETAIL BY DEPARTMENT: 5% CUT 10% CUT 15% CUT

PERSONNEL \$ 6,363 \$ 12,725 \$ 19,088

Included with Exec., Records & Comm. Info. Serv.

Cuts largely supported by excess cuts in Records Services

CENTRAL SERVICES \$ 4,485 \$ 8,970 \$ 13,455

Included with Exec., Records & Comm. Info. Serv.

Cuts largely supported by excess cuts in Records Services

ALL CITY BUILDINGS \$ 6,549 \$ 13,098 \$ 19,647
 Prof. Services-reduce custodial support \$ (6,549) \$ (6,549) \$ (6,549)
 Add'l reduction of custodial/building support \$ (6,549) \$ (6,549) \$ (6,549)
 Add'l reduction of custodial/building support \$ (6,549) \$ (6,549) \$ (6,549)

POLICE \$ 272,843 \$ 545,685 \$ 818,528
 Eliminate D.A.R.E Officer \$ (78,886) \$ (78,886) \$ (78,886)
 Eliminate CSO #1 \$ (51,732) \$ (51,732) \$ (51,732)
 Eliminate CSO #2 \$ (57,445) \$ (57,445) \$ (57,445)
 Eliminate Narcotics Officer \$ (47,395) \$ (47,395) \$ (47,395)
 Evidence Room Person \$ (24,406) \$ (24,406) \$ (24,406)
 Fuel \$ (1,823) \$ (1,823) \$ (1,823)
 Uniforms \$ (3,200) \$ (3,200) \$ (3,200)
 Laundry \$ (1,176) \$ (1,176) \$ (1,176)
 Training Overtime \$ (4,235) \$ (4,235) \$ (4,235)
 Holiday Cash-out \$ (2,545) \$ (2,545) \$ (2,545)
 Eliminate Narcotics Officer \$ (50,855) \$ (50,855) \$ (50,855)
 Eliminate Internet Task Force Detective \$ (56,550) \$ (56,550) \$ (56,550)
 Eliminate S. County Enforcement Unit position \$ (63,179) \$ (63,179) \$ (63,179)
 Eliminate Patrol Officer \$ (56,469) \$ (56,469) \$ (56,469)
 Eliminate Patrol Officer \$ (58,571) \$ (58,571) \$ (58,571)
 Uniforms \$ (4,000) \$ (4,000) \$ (4,000)
 Laundry \$ (1,470) \$ (1,470) \$ (1,470)
 Training Overtime \$ (5,294) \$ (5,294) \$ (5,294)
 Holiday Cash-out \$ (2,713) \$ (2,713) \$ (2,713)
 Patrol Officer \$ (64,058) \$ (64,058) \$ (64,058)
 Uniforms \$ (800) \$ (800) \$ (800)
 Laundry \$ (294) \$ (294) \$ (294)
 Training Overtime \$ (1,059) \$ (1,059) \$ (1,059)
 Holiday Cash-out \$ (643) \$ (643) \$ (643)
 Overtime \$ 26,258 \$ 26,258 \$ 26,258
TRAFFIC UNIT \$ 26,258 \$ 26,258 \$ 26,258
 Traffic Officer \$ (208,312) \$ (208,312) \$ (208,312)
 Traffic Officer \$ (66,363) \$ (66,363) \$ (66,363)
 Eliminate Records Specialist-Traffic Officer \$ (42,540) \$ (42,540) \$ (42,540)
 Uniforms \$ (2,400) \$ (2,400) \$ (2,400)
 Laundry \$ (882) \$ (882) \$ (882)
 Training Overtime \$ (2,118) \$ (2,118) \$ (2,118)
 Holiday Cash-out \$ (1,466) \$ (1,466) \$ (1,466)
 Eliminate 2 Court Clerks-Traffic Unit \$ (91,814) \$ (91,814) \$ (91,814)
 Remaining Traffic Unit Expense \$ (181,463) \$ (181,463) \$ (181,463)

Net savings of reclassif to part-time Court Transport Officer is \$ 26,367 since the Jail Transp Officer cost =\$25,365

(66,363) Listed by
 (66,295) Police
 (42,540)
 (2,400)
 (882)
 (2,118)
 (1,466)
 (91,814)
 (181,463)

FUND & DEPARTMENT CUTS BY DEPARTMENTS

PLEASE NOTE:

THE BOXED ITEMS HAVE BEEN ADDED TO THE 'CUTS - FIRST LEVEL' IN THE '2003 CONCEPTUAL BUDGET PLAN'

BUDGET CUT DETAIL BY DEPARTMENT:

Revenue

5% CUT 10% CUT 15% CUT

237,028

ENGINEERING SERVICES

\$ 22,345 \$ 44,691 \$ 67,036

Note: All cost reductions are under Street Fund,
as Pub Wks Dir could not decrease Engr.

COMMUNITY INFORMATION SVCS

\$ 4,060 \$ 8,120 \$ 12,180

Cable Consultant

\$ (14,000)

Remaining Cable Consultant

\$ (10,000)

Prof Services-Newsletter-Reduce 2

\$ (8,361)

Prof Services-Newsletter-Remaining 4-In-house

\$ (7,644)

Postage-Newsletter

\$ (6,200)

COMMUNITY DEVELOPMENT

40% of GIS position will perform duties for SWM

\$ 47,073 \$ 94,146 \$ 141,219

Plan Dev:

Small Tools

\$ (250)

Professional Services

\$ (250)

Travel

\$ (1,500)

Repairs & Maintenance

\$ (500)

Training

\$ (1,000)

Add'l Training

\$ (1,800)

Miscellaneous

\$ (500)

Dev. Services:

Repairs & Maintenance

\$ (500)

Computer Supplies

\$ (500)

Small Tools

\$ (500)

Training

\$ (1,500)

Add'l Training

\$ (500)

Building

\$ (5,000)

Sierra Support

\$ (2,000)

Travel

\$ (1,000)

Advertising

\$ (1,000)

Repairs & Maintenance

\$ (1,000)

Training

\$ (1,600)

Small Tools

\$ (2,019)

Add'l Small Tools

\$ (1,459)

Eliminate Planning Manager position

\$ (90,387)

Overtime

\$ 23,695

HEALTH & HUMAN SERVICES

\$ 4,008 \$ 8,016 \$ 12,025

Reduce Human Services Funding

\$ (4,008)

Additional Reduction

\$ (4,008)

Additional Reduction

\$ (4,009)

Cuts largely supported by excess cuts in Records Services

Offset, however by adding a Land Use Planner 2 position
which would net a savings of about \$37,000.

FUND & DEPARTMENT CUTS BY DEPARTMENTS

PLEASE NOTE:

THE BOXED ITEMS HAVE BEEN ADDED TO THE 'CUTS - FIRST LEVEL'
IN THE '2003 CONCEPTUAL BUDGET PLAN'

BUDGET CUT DETAIL BY DEPARTMENT:	5% CUT	10% CUT	15% CUT
PARKS & RECREATION (Incl Sr Ctr)	\$ 78,902	\$ 157,805	\$ 236,707
Administration			
Reduce size & scope of brochures	\$ (5,000)	\$ (5,000)	\$ (5,000)
Add'l reduction to brochures	\$	\$ (1,000)	\$ (1,000)
Postage	\$ (1,000)	\$ (1,000)	\$ (1,000)
Add'l Postage	\$	\$ (219)	\$ (219)
Add'l Postage	\$	\$	\$ (281)
Advertising	\$ (3,000)	\$ (3,000)	\$ (3,000)
Add'l Advertising	\$	\$	\$ (800)
Armored Car Expense	\$ (3,300)	\$ (3,300)	\$ (3,300)
Cut Americorp Funded Workers (2400 hrs)	\$ (2,000)	\$ (2,000)	\$ (2,000)
Eliminate Caretaker/Reduce Rec Attendant Hrs.	\$ (7,500)	\$ (7,500)	\$ (7,500)
Reduce add'l Rec Attendant Hours	\$	\$ (24,540)	\$ (24,540)
Reduce add'l Rec Attendant Hours	\$	\$	\$ (11,044)
Cut Special Events	\$	\$ (25,000)	\$ (25,000)
Cut Add'l Special Events	\$	\$	\$ (2,000)
Capital Outlay	\$	\$ (4,000)	\$ (4,000)
Small Tools & Equipment	\$	\$ (4,000)	\$ (4,000)
Customer Service Position to .5 FTE	\$	\$	\$ (19,948)
Operating Rental & Leases	\$	\$	\$ (6,000)
Park Maintenance			
Park Maintenance Position	\$ (52,810)	\$ (52,810)	\$ (52,810)
Cut Downtown Banner Program	\$ (4,500)	\$ (4,500)	\$ (4,500)
Cut Park Annuls Program(Adopt A Spot)	\$	\$ (3,000)	\$ (3,000)
Part Time Maintenance Workers-600 hrs	\$	\$ (7,346)	\$ (7,346)
Part Time Maintenance Workers-Eliminate	\$	\$	\$ (19,363)
Reduce Operating Supplies	\$	\$	\$ (5,000)
Reduce Utilities	\$	\$	\$ (12,349)
Overtime	\$ 208	\$	\$
Senior Services			
Senior Services Program Attendant	\$	\$ (11,707)	\$ (11,707)
Overtime	\$	\$ 2,118	\$
Total General Fund			
STREET FUND:	\$ 41,782	\$ 83,564	\$ 125,345
Eliminate Street Mtce Worker	\$ (49,906)	\$ (49,906)	\$ (49,906)
Remove 14% of City Street Lights - Util Costs	\$ (26,000)	\$ (26,000)	\$ (26,000)
Add one Street Summer Helper - offset to decr lab.	\$ 8,840	\$ 8,840	\$ 8,840
Overtime addition -- offset to decr labor	\$ 2,938	\$ 27	\$ 901
Eliminate Street Lead Worker	\$	\$ (61,216)	\$ (61,216)
Remove an add'l 35% of Street Lights - Util Costs	\$	\$	\$ (65,000)
TOTAL GEN'L & STREET FUNDS	\$ 573,644	\$ 1,147,289	\$ 1,720,931

PRELIMINARY
REGULAR MEETING DES MOINES CITY COUNCIL

MINUTES

July 25, 2002

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

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

ROLL CALL - Present: Mayor Don Wasson, Mayor Pro Tem Richard Benjamin (left at 7:58 p.m.), Councilmembers Gary Petersen, Bob Sheckler, Maggie Steenrod and Susan White. Absent: Councilmember Scott Thomasson. Also present were City Manager Tony Piasecki, City Attorney Linda Marousek, Community Development Director Judith Kilgore, Park and Recreation Director Patrice Thorell, Assistant City Engineers Maiya Andrews and Loren Reinhold and Deputy City Clerk Angela Chaufty.

MOTION was made by Mayor Pro Tem Benjamin, seconded by Councilmember White and passed unanimously to excuse Councilmember Thomasson from attendance.

COMMENTS FROM THE PUBLIC

Arlene Knight, 22222 Dock Avenue South

Ms. Knight distributed and read a letter inviting Council to visit her condominium during the Waterland Festival in order to observe the impact of the festival's new configuration on nearby residents. She said that the carnival rides caused her home to vibrate and the noise from the generators and carnival music was continuous.

Phil Yohann, 1300 South 250th Street

Mr. Yohann asked Council to amend the city code to eliminate the use of razor wire on security fences. He recognized the security concerns but noted that the razor wire also indiscriminately affected wild and domestic animals. Mr. Yohann distributed a sample of razor wire and photos of its use in the City. He stated that he has freed cats trapped in the wire on three occasions. Last night, one cat died from the experience. In closing, Mr. Yohann asked that there be no grandfather clause included in the amendment.

BOARD & COMMITTEE REPORTS

Municipal Facilities Committee

Councilmember Steenrod announced that the Municipal Facilities Committee would meet next week to discuss the Marina Master Plan and to develop cost estimates for the Senior Center.

Finance Committee

Councilmember Steenrod said that the Finance Committee would meet every Monday for the next several weeks in order to develop budget proposals for Council's review.

SR 509 Executive Committee

Councilmember Petersen reported that the committee had met to review four SR 509 proposals. He commented that Referendum 51 would greatly affect the proposals.

ADMINISTRATION REPORTS

King County Pools

City Manager Piasecki announced that he had met with King County Councilmember Julia Patterson, Senator Karen Keiser, Representative Dave Uptegrove, and Normandy Park, Highline Community College, King County Parks, and Highline School District representatives to discuss the County's funding deficient and its potential impact on King County pools. He reported that the County currently planned to close their pools that were located within city limits. He noted that Council was scheduled to discuss the issue and identify their position at the next Council meeting.

Port of Seattle Comprehensive Plan Amendment

City Manager Piasecki announced that the Port of Seattle had filed a Comprehensive Plan Amendment to allow interim uses for the Port buyout area. As part of the process, several permits would be required. The amendment and permit requests would be processed according to city code. City Manager Piasecki said that he and Community Development Director Kilgore had met with Port of Seattle Executive Director Gina Marie Lindsay and Community Development Director Diane Summerhaze to discuss plans for the site.

Wescot Corporation Lawsuit

City Attorney Marousek announced that Wescot Corporation had filed a lawsuit in Superior Court on July 19, 2002 suing the City of Des Moines for damages and civil rights violation. She said that Council had been briefed on the issue and the City intended to respond aggressively. As the issue was a matter of public record, copies of the lawsuit were available.

Introduction of Prosecuting Attorney

City Attorney Marousek introduced Susan Mahoney, the proposed Prosecuting Attorney for the City. She noted that Ms. Mahoney came highly recommended and had ten years experience working with the King County Prosecutor's office.

After introducing her legal assistant Nancy Collins, Ms. Mahoney briefly described her background and said that she looked forward to serving as the city's Prosecutor.

Briefing: Puget Sound Energy Settlement

Assistant City Engineer Andrews informed Council of the background of the issue. She explained that over a year ago Puget Sound Energy (PSE) had presented the City with a set of undergrounding plans for the Pacific Highway South Project, which included forty easements in PSE's name, and for their exclusive use. After months of negotiating with PSE, the City of Des Moines joined with other cities in filing a legal case against PSE. She highlighted the following elements of the settlement:

- Requires PSE to underground utilities when the City asks them to do so;
- Creates a tariff for these actions, including template design and construction agreements;
- Gives the cities responsibility for installing vaults and conduit;
- States both parties will work in good faith to place facilities in rights-of-way;
- Sets relocation costs; and
- Sets cost allocations for undergrounding, trenching, and restoration actions.

In closing, Assistant City Engineer Andrews stated that the settlement satisfactorily preserved the City's authority over the rights-of-way and provided a reasonable cost allocation for underground conversion.

At 7:58 p.m., Mayor Pro Tem Benjamin left the meeting.

CONSENT CALENDAR was read by Deputy City Clerk Chaufy.

1. Motion is to approve the minutes of June 27 and July 11, 2002.
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 checks #81709 through # 81903 & electronic fund transfers in the total amount of \$708,566.26

Payroll fund transfers in the total amount of \$335,650.74

3. Motion is to confirm the appointment of Susan L. Mahoney as Prosecuting Attorney for the City of Des Moines and to authorize the City Manager to sign the Agreement for Professional Services substantially in the form as submitted.
4. Motion is to purchase a 1965 Fleetwood mobile home from Mabel H. Stokes in the amount of \$7,472.04 plus closing costs, and to authorize the City Manager to sign the Purchase and Sale Agreement substantially in the form as submitted.
5. Motion is to approve the surplus and disposal of twelve mobile homes listed in Attachment A which are located in Pine Terrace Mobile Home Park that the City has, or will, acquire as a result of the Pacific Highway South Improvement Project.
6. Motion is to approve the surplus and disposal of one "Gem Top" truck canopy from the Equipment Rental Department.
7. ~~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 AT&T Wireless Services, inc. for use as a wireless antenna location and to authorize the City Manager to sign the lease substantially in the form as submitted.~~

In response to Councilmember Steenrod's question regarding Item No. 7, Park and Recreation Director Thorell stated that the proposed lease was located approximately thirty feet east of the current light standard.

Councilmember Steenrod removed Item No. 7.

MOTION was made by Councilmember Sheckler and seconded by Councilmember Petersen to approve the consent calendar.

City Manager Piasecki announced that Councilmember Petersen and Steenrod recused themselves from voting on Item Nos. 4 and 5.

VOTE ON MOTION: Motion passed unanimously.

CONSENT ITEM REMOVED

AT&T Wireless Service Lease Agreement – Des Moines Field House Park

Upon questioning from Councilmember Steenrod, City Attorney Marousek confirmed that the proposed agreement was not a standard lease for AT&T. She explained that the lease was the first step in the unclassified use permit process. City Attorney Marousek said that the city had negotiated the lease dependent upon the approval of the unclassified use permit.

Community Development Director Kilgore explained that AT&T's unclassified use permit application would be reviewed by Council.

MOTION was made by Councilmember Steenrod, seconded by Councilmember White and passed unanimously to approve Consent Calendar Item No. 7 as previously read by the Deputy City Clerk.

NEW BUSINESS

Briefing: Water Resource Inventory Area (WRIA) 9 - Near-Term Action

Assistant City Engineer Reinhold introduced Dennis Clark, the Public Outreach Coordinator for the Water Resource Inventory Area (WRIA) 9 Forum. He stated that the purpose of the briefing was to inform Council of the salmon habitat and to describe the near-term action plan of the forum.

Mr. Clark informed Council that the State of Washington was divided into 62 watershed areas. The City of Des Moines was a part of the Green/Duwamish and Central Puget Sound Watershed (WRIA 9). He displayed a map of the area and described its features. Mr. Clark identified the following benefits of the City's participation in the WRIA 9 salmon habitat effort:

- Provides the City with an opportunity to participate in the development of a watershed habitat plan that will be proposed to the federal government in 2005;
- Illustrates the City's commitment to avoid salmon "take" under the Endangered Species Act;
- Provides an opportunity for jurisdictions dealing with similar problems to learn from each other;
- Provides City input regarding the allocation of \$600,000 of King Conservation District funds annually; and
- Provides an efficient method to meet watershed-wide and local government planning needs for salmon habitat.

Mr. Clark said that the WRIA 9 habitat planning elements included the development of a reconnaissance assessment (completed December 2000), near-term action agenda (completed May 2002), strategic assessment (2002 – 2004), and a comprehensive salmon habitat plan (2002 – 2005). He explained that the near-term action agenda serves as a educational and decision making tool for the City. It describes the current efforts of WRIA 9 and lists achievable priority actions. It is a product of consensus and implementation is voluntary. Mr. Clark highlighted the following WRIA-wide actions identified in the agenda:

- Determine fish use and habitat priorities within jurisdictions;
- Promote the use of alternative shoreline protection techniques;

- Evaluate and improve erosion and sediment control programs to reduce sediment entering salmon streams;
- Adopt stormwater standards that protect salmon;
- Develop programs and protocols for the maintenance of stormwater systems and facilities to reduce entry of sediment to salmon streams;
- Review road maintenance practices and adopt written operating procedures to reduce potential impacts to salmon;
- Review parks and grounds maintenance procedures and adopt written best management practices;
- Create combined naturalist and stewardship activities across WRIA 9;
- Evaluate fish passage barriers at the local jurisdiction level; and
- Support the Puget Sound Nearshore Ecosystem Restoration Project, Phase 1.

Mr. Clark said that each WRIA 9 jurisdiction was expected to evaluate actions, determine which were needed, establish an implementation schedule, work with WRIA groups on joint actions, and report annually to WRIA on their progress.

Councilmember Sheckler asked if any official count of the coho salmon in Des Moines Creek had been performed.

Mr. Clark said that Salmon Watcher, a volunteer group, had counted the coho salmon in the creek. He would send Councilmember Sheckler the figures.

Councilmember White said that the beach signage in Redondo provided through WRIA were very nice.

City Manager Piasecki noted that several items regarding WRIA would be brought before Council over the next few years.

At 8:37 p.m., Mayor Wasson declared a five-minute break.

Draft Ordinance No. 02-141 Cardroom Regulations - 1st Reading

Community Development Director Kilgore introduced the subject. After researching the issue, Community Development Director Kilgore said that she found that most casinos were self-regulating, created family wage jobs, and did not seem to generate crime. She noted that State law heavily regulated the industry. While the City could not regulate the placement of casinos, she believed that they would gravitate toward acceptable areas in the city due to lot size and visibility requirements. Community Development Director Kilgore explained that casinos must be linked to a full-service restaurant. If Council chose to permit casinos, Community Development Director Kilgore proposed a taxation rate of 10%. She noted that most cities' taxation rates were between 10% and 15%. She explained that the potential revenue of a casino would be dependent upon its location and size.

Councilmember White cautioned Council to not consider casinos to be the answer to the City's budgetary concerns.

Community Development Director Kilgore explained that the State regulated a casino's hours of operation and number of tables. She confirmed that proceeds from gambling taxes were to be used primarily for local gambling enforcement programs.

Councilmember Sheckler noted that Council was considering Draft Ordinance No. 02-141 due to the city's \$1.5 million budget shortfall. He said that city service levels would be cut unless additional revenue sources were found.

Councilmember Steenrod asked staff to inquire whether neighboring police departments had experienced an increase in DUI's since the establishment of casinos in their cities.

Councilmember Sheckler noted that if additional police were required to patrol the casinos, profits would be decreased.

Councilmember Petersen said that most casinos provide their own security.

City Attorney Marousek explained that if the State legislature broadened the definition of allowable gambling activities, the proposed ordinance was written so as to allow Council the opportunity to determine whether a specific activity should be allowed in Des Moines.

Mayor Wasson said that three surrounding cities were currently providing gambling services to Des Moines' residents. He felt that the citizens should be encouraged to spend their money at home.

MOTION was made by Councilmember Sheckler, seconded by Councilmember White and passed unanimously to move Draft Ordinance No. 02-141 on to a second reading at the August 22, 2002 meeting.

NEXT MEETING DATE - Regular Meeting August 1, 2002

ADJOURNMENT

At 9:22 p.m., **motion** was made by Councilmember Petersen, seconded by Councilmember White and passed unanimously to adjourn the meeting.

Respectfully submitted,

Angela M. Chafty
Deputy City Clerk

PRELIMINARY
REGULAR MEETING DES MOINES CITY COUNCIL

MINUTES

August 1, 2002

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

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

ROLL CALL - Present: Mayor Don Wasson, Mayor Pro Tem Richard Benjamin, Councilmembers Gary Petersen, Bob Sheckler (left meeting at 10:17 p.m.), Maggie Steenrod and Scott Thomasson. Absent: Councilmember Susan White. Also in attendance were City Manager Tony Piasecki, Assistant City Manager Corbitt Loch, City Attorney Linda Marousek, Park and Recreation Director Patrice Thorell and City Clerk Denis Staab.

MOTION was made by Mayor Pro Tem Benjamin, seconded by Councilmember Thomasson and passed unanimously, to excuse Councilmember White.

COMMENTS FROM THE PUBLIC

Mt. Rainier Pool Issue - The following individuals addressed the Council requesting the City do whatever it can to keep the King County Forward Thrust Mt. Rainier Pool Open:

1. Barbara Ann Snow, 22609 6th Ave. S. #101
2. Rick Wertman, 1405 N. 38th Street, Renton
3. Bill Whisler, 418 SW 185th Place, Normandy Park
4. Mel Harrylock, 1104 SW Riviera Place, Normandy Park
5. Taylor Evans-Race, 3538 S. 198th, SeaTac
6. Janette Swecker, 19222 3rd Ave. S.
7. Barbara Dollahite, 23410 S. 18th Street
8. Lacey Dollahite, 23410 S. 18th Street
9. Faith Callahan, 816 S. 216th
10. Joy Ziemann, 23069 17th Ave. S.
11. Meggin Hunt, 27056 10th Ave. S.
12. John Burdick, 816 S. 216th Street
13. Dr. Bob Thompson, 18135 Brittany Dr. SW, Normandy Park
14. Judy Pauwels, 24037 Marine View Drive S.
15. Ashley Thompson, 20103 12th Place South, SeaTac
16. Rachael Sonia, 20604 Occidental Ave. S.
17. Allexa Laycock, 20604 Occidental Ave S.
18. Schell Ross, 23444 26th Ave. S.
19. Kayla Petitt, 18809 6th Ave. SW, Normandy Park
20. Andrew Merrell, 208 SW 192nd Street, Normandy Park
21. John Merrell, 19445 Marine View Drive SW, Normandy Park
22. Julie Mitchell, 20024 3rd Place SW, Normandy Park
23. Sally Thrall, 1827 S. 223rd Street
24. Patti Brumfield, 22923 23 Pl. S.
25. Carl Moberley, 1217 S. 211th Place
26. JoAnn Peter, 22920 21st Ave. S.

These individuals represented present and past students of Pacific Middle School, Mt. Rainier High School, Senior Citizens, health care workers, parents, members of Mt. Rainier High School Swim Team and aquatics team. The following reasons for keeping the pool open were voiced:

- Provides great year round exercise for young & old
- Provides safe exercise for individuals who are handicapped or recovering from health problems
- Important to teach very young children to swim, safety issues
- Teaches youth respect, dedication, resolve & perseverance through team sports, creating great athletes and students
- Students lettering in swimming have opportunities for college scholarships
- Provides a safe fun environment for youth recreation
- Provides a place and activity that the whole family can participate in
- No other public pools located within the Des Moines area
- Offers great socializing/mixing of all age groups

Suggestions to pursue to help keep the pool open offered were:

- Raise user fees
- Cut pool hours of operation
- Use volunteer help where possible such as, reception & minor maintenance
- Create a coalition with Highline School District, King County, Des Moines Legacy Foundation, neighboring cities
- Request funds from Port of Seattle for jet aircraft noise impacts to facility

8:47 p.m. Mayor Wasson called for a 10 minute break.

BOARD & COMMITTEE REPORTS

Mt. Rainier Pool

Councilmember Sheckler noted that he was impressed with the number of speakers and the tremendous turn out of citizens interested in finding a way to keep the pool open and felt there is a great opportunity to work together on this issue. Therefore he offered the following:

MOTION was made by Councilmember Sheckler, seconded by Councilmember Steenrod, to form an ad-hoc Committee to study the issue of maintaining the Mt. Rainier Pool.

Mayor Pro Tem Benjamin advised that while he heard there is a lot of support, resources must be combined with other jurisdictions in this effort. He reminded everyone that Des Moines is facing close to a \$2 million budget short-fall and is in no position financially to undertake the sole financial responsibility of maintaining and operating the pool. He stated that he would also like to see the pool remain open and would encourage participation on such a committee by representatives of King County and the State.

Councilmember Thomasson voiced the opinion that the pool is definitely an asset to the community and personally understands the value the pool contributes to our youth. However, noted this is not something that Des Moines can afford to do alone.

Councilmember Steenrod requested citizens interested in serving on such a committee leave their name and phone number with the City Clerk.

VOTE ON MOTION: Motion passed unanimously.

Finance and Economic Development Committee

Councilmember Steenrod reported that the Committee will be meeting every Monday for the next month. They are currently reviewing potential expense reductions to bring recommendations back to the Council as a whole for deliberation and decisions.

Municipal Facilities Committee

Marina - Councilmember Steenrod advised that the Committee is currently reviewing fire safety measures and the Marina Master Plan bonding issues.

Senior Center - Councilmember Steenrod announced that there will be a special Council meeting on Monday, August 5th to review options for establishing an interim Senior Center facility.

Waterland Festival

Councilmember Steenrod offered her congratulations to the Chamber of Commerce for a successful event.

Public Safety & Transportation Committee

Mayor Pro Tem Benjamin advised that the Committee met earlier this evening to review a draft ordinance regarding graffiti and discussed getting other communities involved in these efforts.

Waterland Festival

Mayor Pro Tem Benjamin congratulated the Chamber on the Waterland Festival and acknowledged the many volunteers that helped make the event successful. He advised that he personally witnessed a lost child being reunited with parents by our Police Department and felt the secure fencing around the event helped in the quick recovery of the lost child.

PRESIDING OFFICER'S REPORT

Proposed Resolution

Mayor Wasson distributed a proposed resolution to Councilmembers for review and potential future action, supporting a proposed reduction of the number of King County Councilmembers from 13 to 9.

ADMINISTRATION REPORTS

Wescot Appeal to Hearing Examiner Regarding Conveyor Belt Permits

City Attorney Marousek announced that the Des Moines Hearing Examiner upheld the City's decision to deem Wescot's applications for the Conveyor Belt as incomplete and therefore not acceptable.

CONSENT CALENDAR was read by City Clerk Staab.

1. Motion is to authorize the City Manager to approve all vouchers for payment of the following claims during the period of July 26, 2002 through August 21, 2002:
 - a. All vouchers for payment of payroll checks, including Marina payroll, and

b. All vouchers for payment of claims and Marina checks, provided that all vouchers and checks approved by the City Manager in accordance with this motion shall be presented at the August 22, 2002 Council Meeting.

2. Two motions:

A. Motion is to award the construction contract for the Massey Creek Stream Restoration Project at 16th Avenue South to Bayside Construction, Inc. in the amount of \$41,561.60 and to authorize the City Manager to sign said contract substantially in the form as submitted. And authorize the City Manager, or his designee, to approve change orders up to an amount of 10% of the contract amount.

B. Motion is to approve the amendment to the SWM Capital Improvement Plan to delete \$30,000 from the Soundview Drive Culvert/Overflow Project and to transfer these funds to the Contracted Services line item of the SWM Maintenance budget to pay for the Stream Restoration project.

3. Motion is to approve the Consultant Agreement for Landscape Architect and Civil Engineering Services in the amount of \$30,000 and to 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.

MOTION was made by Councilmember Sheckler, seconded by Councilmember Petersen and passed unanimously, to approve the Consent Calendar as read.

AGENDA REVISION

Mayor Wasson announced that due to the large number of citizens interested in the Mt. Rainier Pool issue, he will take New Business first.

NEW BUSINESS

King County Parks - Mt. Rainier Swimming Pool

Parks and Recreation Director Thorell briefly reviewed the history of King County Forward Thrust Pool. She noted that Council last refused the offer from the County to take ownership of the pool in 1983. She advised that the voter approved Forward Thrust bonds were issued during the 1970's and will not be completely retired until the year 2014. Through the agreement with Highline School District, the pool would become the property of the School District when the bonds are retired.

Parks and Recreation Director Thorell introduced Karen Reed from King County and together they reviewed various statistics highlighting the following:

- Registration by cities for classes
- Estimated 2003 (excluding capital costs, administration & staffing, insurance):
 - Operating costs = \$424,601
 - Revenue (50% fee increase & drop-off) = \$205,951.20
- Cost to Mothball = \$78,400.45

Ms. Reed informed Council that should the City take ownership of the pool, the mothball figure of \$78,400.45 would be the city's for the year of 2003. Upon questioning by Council, she noted the pool is proposed to be mothballed beginning January 2003. She advised that the County is interested in pursuing other avenues, such as partnerships and will look at reasonable options if the pool ownership is not outright transferred.

City Manager Piasecki advised Council that officials of the Cities of Des Moines and Normandy Park, Highline School District, Highline Community College and King County have met to discuss options. Due to financial constraints effecting each of the local entities it does not look feasible that Mt. Rainier Pool could remain open without financial participation by numerous sources.

Parks and Recreation Director Thorell informed Council that Highline School District is willing to discuss additional funding from their sources in order to avoid transportation costs in busing students to the Evergreen pool.

Mayor Wasson commented that raising user fees can be counter productive as often usage will drop off.

Councilmember Thomasson felt that if a reasonable avenue of funding could be devised, especially through a partnership, he would be in favor, but would not support the City taking over the whole burden.

Councilmember Steenrod expressed concern over increased insurance costs, particularly if volunteer staffing is used.

Councilmember Sheckler cautioned that Des Moines is one of the hardest hit cities in the state financially. He advised that the bottom line is this is not something the City can take on alone.

Councilmember Steenrod suggested exploring whether additional facilities could be added on for other types of fitness equipment, to make the facility a complete fitness center.

City Manager Piasecki advised that he will contact potential members of the new ad-hoc committee to include King County and surrounding cities.

Mayor Wasson requested additional video tapes be made of the public comments for distribution to the County Council.

10:18 p.m. Councilmember Sheckler left the meeting.

Parks and Recreation Director Thorell informed Council that through Suburban Cities, a sub-regional approach is being looked at. This would involve fewer pools, with a more multi-purpose use and a forward look to complete aquatic centers.

Councilmember Thomasson suggested that perhaps a private swim club or other private organization may be interested in purchase and operation of the pool, and this idea should not be overlooked in exploring ways of saving the pool.

PUBLIC HEARING

Draft Ordinance No. 02-107 Secure Community Transition Facilities (SCTF) - 1st Reading

City Manager Piasecki suggested that since it is getting late in the evening, that the Public Hearing be opened, and left open to the August 22nd Council meeting. He noted this would give time for citizens to comment in writing, or provide oral comments at that meeting. He further

suggested that staff's formal presentation, and the presentation by the Department of Social and Health Services, can be made at that time.

10:26 p.m. **MOTION** was made by Councilmember Thomasson, seconded by Councilmember Petersen and passed unanimously (4-0 Mayor Pro Tem Benjamin was not in the room at the time), to extend the meeting to 10:40 p.m.

Assistant City Manager Loch introduced Alan Ziegler from the Department of Social and Health Services.

Mr. Ziegler presented Council with a packet of materials that he will review in detail at the August 22nd Council meeting. He briefly described the contents of the material.

Assistant City Manager Loch requested Council retain the information distributed by Mr. Ziegler along with their Agenda Item packet from this meeting for the August 22nd meeting.

Mayor Wasson declared the Public Hearing open.

City Attorney Marousek explained the rules for conducting the public hearing.

PUBLIC COMMENTS

Andy Ortega, 125 SW Campus Drive, Federal Way

Ms. Ortega informed Council that she is the Academic Dean at Christian Faith Center located at 21024 24th Avenue South. She noted about 600 students attend daily sessions at the Center and play soccer on Saturday. She further noted that there are Church services on Wednesday and Saturday evenings, as well as Sunday. She advised that there are 2 other schools within walking distance from the Center school and therefore she is very opposed to placing these students in eminent danger and requested Council consider an alternate location.

Della Barthel, 20631 26th Avenue South

Ms. Barthel noted that she find out about this meeting because she works at the Church, however she lives within 2 blocks of the proposed location. She advised that as a resident and property owner she did not receive a notice of this hearing. She informed Council that on Sundays she works in the children's ministry and there are approximately 1,300 to 1,500 children in attendance throughout the week. She questioned whether citizens within 300' of the proposed location will receive proper notification of the continued public hearing.

City Manager Piasecki noted that the public comment period will remain open until the August 22nd Council meeting. This will allow time for written comments to be submitted and additional speakers will be permitted at that meeting. He advised that staff will present a formal presentation at that time.

MOTION was made by Mayor Pro Tem Benjamin, seconded by Councilmember Steenrod, to continue the Public Hearing to the August 22nd meeting.

Upon questioning by Councilmember Thomasson regarding notification of property owners, Assistant City Manager Loch advised that this is a textual code change, area wide, and the City is not required by law to provide notice to individual property owners. However, he noted that staff would rather provide more notice than less. Due to a clerical error, the notice to the

property owners went out late. He further advised that a new notice will be mailed for the August 22nd meeting.

Upon questioning by Councilmember Steenrod, Assistant City Manager Loch confirmed that we are discussing civil commitment for sexual offenders, and noted that no specific location has been proposed at this time. The purpose of the hearing will be to determine where they will be allowed and what process will be used to allow them. He advised that the area proposed for Council to consider is the PR-C2 zone, the area that is north of South 216th and east of 24th Avenue South.

VOTE ON MOTION: Motion passed unanimously.

At 10:40 p.m. **MOTION** was made by Mayor Wasson, seconded by Mayor Pro Tem Benjamin, to extend the meeting another 3 minutes. Motion passed unanimously.

Mayor Wasson advised that the Council may determine that a completely different area of the City may be more appropriate for this type of facility. He felt this could be unfair as other residents will not have received notice that the City is considering such a code change.

Councilmember Thomasson pointed out that this is a State mandated program and most likely is not an option for Council to say that there is no suitable location. Assistant City Manager Loch advised that a few cities are taking this approach.

Mayor Wasson requested that more publicity be prepared as he feels this is an item that all citizens would be interested in. City Manager Piasecki noted that staff will prepare a press release for the local paper.

NEXT MEETING DATE

Mayor Wasson announced that the next meeting will be a Special Meeting on Monday, August 5, 2002 at 7:30 p.m. to discuss and take action on a temporary Senior Center Facility.

ADJOURNMENT

At 10:43 p.m., as time had expired, the meeting was adjourned.

Respectfully submitted,

Denis Staab
City Clerk

AGENDA ITEM

SUBJECT: Purchase of Personal Property
for Pacific Highway Project

ATTACHMENTS:

- A. Purchase & Sale Agreement for a
Champion Mobile Home (Delgado -
Space 49)
- B. Purchase & Sale Agreement for a
Marlette Mobile Home (Glaefke -
Space 44)
- C. Purchase & Sale Agreement for a
Fleetwood Mobile Home (Cordoba/Ruiz
- Space "K")

AGENDA OF: August 22, 2002

DEPT. OF ORIGIN: Public Works

DATE SUBMITTED: August 12, 2002

CLEARANCES:

[X] Finance

[X] Public Works

[X] Legal

APPROVED BY CITY MANAGER

FOR SUBMITTAL:

Purpose and Recommendation:

The purpose of this report is to seek City Council approval for purchase of personal property for the Pacific Highway South Redevelopment Project.

Suggested Motion

The following motions will appear on the Consent Calendar:

- 1) "I move to purchase a 1974 Champion mobile home from Mr. and Mrs. Delgado in the amount of \$8,751.05 plus closing costs, and further to authorize the City Manager to sign the Purchase and Sale Agreement substantially in the form as submitted."
- 2) "I move to purchase a 1964 Marlette mobile home from Mr. Glaefke in the amount of \$5,790.34 plus closing costs, and further to authorize the City Manager to sign the Purchase and Sale Agreement substantially in the form as submitted."
- 3) "I move to purchase a 1972 Fleetwood mobile home from Mr. Cordoba and Ms. Ruiz in the amount of \$8,467.70 plus closing costs, and further to authorize the City Manager to sign the Purchase and Sale Agreement substantially in the form as submitted."

Background:

The Pacific Highway South Redevelopment Project requires right-of-way purchases along SR 99 from Kent Des Moines Road to South 216th Street as well as three full lots for detention ponds. The City Council has previously approved proceeding with purchasing the required property. Because the project is funded through federal, state and local grants, there are

special procedures for obtaining the needed properties. An evaluation is prepared for each mobile home by our consultant negotiator. The purchase price is based on this evaluation which meets all necessary regulatory criteria. Pine Terrace Mobile Home Park has twelve mobile homes that are affected by this project.

Discussion:

The Pacific Highway South Redevelopment Project is scheduled to be advertised for construction this winter. The biggest challenge to this schedule will be obtaining the necessary right-of-way certification from the State. In order to meet this challenge, it is imperative that properties be purchased as quickly as possible.

Mr. and Mrs. Delgado, owners of a 1974 Champion located at Space 49, have agreed to sell their mobile home at a price of \$8,751.05. Mr. Glaefke, owner of a 1964 Marlette located in Space 44, has agreed to sell his mobile home at a price of \$5,790.34. In addition, Mr. Cordoba and Ms. Ruiz, owners of a 1972 Fleetwood located at Space "K", have agreed to sell their mobile home at a price of \$8,467.70.

All of the above mobile home sales will include the sale price plus closing costs and are located in the Pine Terrace Mobile Home Park at 21814 Pacific Highway South. Upon approval, staff will proceed with the closings.

Alternatives:

There are no viable alternatives that would not result in considerable alteration to the project design or in delay and increased costs to the project. We have already successfully purchased 62% of the properties needed.

Financial Impact:

It is important that this step is taken to minimize continuously escalating costs associated with delay to the project. The purchase prices are consistent with federal, state and city guidelines. The cost for purchasing these mobile homes is within the Pacific Highway South budget.

Recommendation/Conclusion:

Staff recommends these motions be approved to ensure that the Pacific Highway South project stays on schedule.

Concurrence:

The Legal Department and City Manager are kept apprised of negotiations and approve all paperwork as required. When specific issues come up that require input by Community Development, we solicit their input. This is a joint effort to improve the conditions along Pacific Ridge.

PURCHASE AND SALE AGREEMENT

In the matter of the City of Des Moines, Pacific Highway South Redevelopment Project Kent-Des Moines Road to South 216th Street, F.A. No. STPUL-TA96(024)/SL-2751, 21814 Pacific Highway S, Space No. 49, Des Moines, WA 98198.

THIS AGREEMENT is made and entered into by and between the City of Des Moines, a municipal corporation of the State of Washington, hereinafter referred to as the "City", and Candelario and Magdalena Delgado, hereinafter referred to as the "Owner(s)", effective on the date of the last signature affixed at Page 2 hereof;

WITNESSETH

WHEREAS, the City affirms and the Owner(s) agree(s) that the owner's personal property described herein is required by the City for construction of a public roadway, sidewalks and utilities improvements.

AND WHEREAS, the City has made a firm and continuing offer to pay the amount of **Eight Thousand Seven Hundred Fifty One and 05/100ths (\$8,751.05)**, for the purchase of the following described personal property in Des Moines, King County, Washington:

Champion 14' x 60' Mobile Home

VIN # _____

NOW THEREFORE, it is understood and agreed that:

1. The Owner(s) will convey the personal property, described above by Bill of Sale and transfer of Title, free from all liens and encumbrances of every nature.
2. The City will issue a warrant in the amount of **\$8,751.05** as stated above, which will be deposited with Pacific Northwest Title Company.
3. The City will pay normal costs of closing, such as escrow services, title transfer fees and recording fees. Any outstanding liens, assessments, taxation encumbrances that may have to be removed to provide clear title to the City are to be satisfied in escrow by the Owner(s) out of the proceeds of the sale.
4. Closing shall occur no later than 60 days after the date on which the last signature is affixed at Page 2 hereof.
5. The City shall be entitled to possession 90 days after closing.
6. Delivery of this Agreement is hereby tendered.

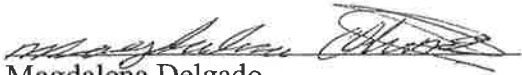
Dated this _____ day of _____, 200_____.

Owner(s)

The City of Des Moines


Candelario Delgado

City Manager


Magdalena Delgado

Approved as to Form:

Acting City Attorney

PURCHASE AND SALE AGREEMENT

In the matter of the City of Des Moines, Pacific Highway South Redevelopment Project Kent-Des Moines Road to South 216th Street, F.A. No. STPUL-TA96(024)/SL-2751, 21814 Pacific Highway S, Space No.44, Des Moines, WA 98198.

THIS AGREEMENT is made and entered into by and between the City of Des Moines, a municipal corporation of the State of Washington, hereinafter referred to as the "City", and John S. Glaefke, hereinafter referred to as the "Owner(s)", effective on the date of the last signature affixed at Page 2 hereof;

WITNESSETH

WHEREAS, the City affirms and the Owner(s) agree(s) that the owner's personal property described herein is required by the City for construction of a public roadway, sidewalks and utilities improvements.

AND WHEREAS, the City has made a firm and continuing offer to pay the amount of **Five Thousand Seven Hundred Ninety Dollars and 34/100ths (\$5,790.34)**, for the purchase of the following described personal property in Des Moines, King County, Washington:

1964 Marlette

VIN # KZSOFKE31108

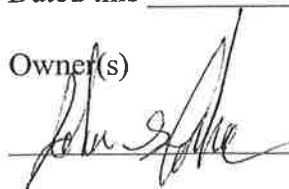
ATTACHMENT B

NOW THEREFORE, it is understood and agreed that:

1. The Owner(s) will convey the personal property, described above by Bill of Sale and transfer of Title, free from all liens and encumbrances of every nature.
2. The City will issue a warrant in the amount of **\$5,790.34** as stated above, which will be deposited with Pacific NW Title.
3. The City will pay normal costs of closing, such as escrow services, title transfer fees and recording fees. Any outstanding liens, assessments, taxation encumbrances that may have to be removed to provide clear title to the City are to be satisfied in escrow by the Owner(s) out of the proceeds of the sale.
4. Closing shall occur no later than 60 days after the date on which the last signature is affixed at Page 2 hereof.
5. The City shall be entitled to possession 90 days after closing.
6. Delivery of this Agreement is hereby tendered.

Dated this _____ day of _____, 200_____.

Owner(s)



The City of Des Moines

PURCHASE AND SALE AGREEMENT

In the matter of the City of Des Moines, Pacific Highway South Redevelopment Project Kent-Des Moines Road to South 216th Street, F.A. No. STPUL-TA96(024)/SL-2751, 21814 Pacific Highway S, Space No. K, Des Moines, WA 98198.

THIS AGREEMENT is made and entered into by and between the City of Des Moines, a municipal corporation of the State of Washington, hereinafter referred to as the "City", and Jose Cordoba and Francisca Reiz, hereinafter referred to as the "Owner(s)", effective on the date of the last signature affixed at Page 2 hereof;

WITNESSETH

WHEREAS, the City affirms and the Owner(s) agree(s) that the owner's personal property described herein is required by the City for construction of a public roadway, sidewalks and utilities improvements.

AND WHEREAS, the City has made a firm and continuing offer to pay the amount of **Eight Thousand Four Hundred Sixty Seven Dollars and 70/100ths (\$8,467.70)**, for the purchase of the following described personal property in Des Moines, King County, Washington:

1972 Fleetwood

VIN # 5553100

NOW THEREFORE, it is understood and agreed that:

1. The Owner(s) will convey the personal property, described above by Bill of Sale and transfer of Title, free from all liens and encumbrances of every nature.
2. The City will issue a warrant in the amount of **\$8,467.70** as stated above, which will be deposited with Pacific NW Title.
3. The City will pay normal costs of closing, such as escrow services, title transfer fees and recording fees. Any outstanding liens, assessments, taxation encumbrances that may have to be removed to provide clear title to the City are to be satisfied in escrow by the Owner(s) out of the proceeds of the sale.
4. Closing shall occur no later than 60 days after the date on which the last signature is affixed at Page 2 hereof.
5. The City shall be entitled to possession 90 days after closing.
6. Delivery of this Agreement is hereby tendered.

Dated this _____ day of _____, 200____.

Owner(s)

The City of Des Moines

Francisca Ruiz

Jose Luis Cordoba Pedruza.

AGENDA ITEM

BUSINESS OF THE CITY COUNCIL City of Des Moines, WA

SUBJECT: Cancellation of RCAA Contract

ATTACHMENTS: RCAA Contract

FOR AGENDA OF: August 22, 2002

DEPT. OF ORIGIN: Executive

DATE SUBMITTED: August 14, 2002

CLEARANCES:

☒ Legal

APPROVED BY CITY MANAGER

FOR SUBMITTAL: AT

RECOMMENDED ACTION

The Mayor requests that the Council pass the following motion at the regular meeting of August 22, 2002 on the consent calendar.

MOTION: "I move to cancel the 2002 Agreement for Services Between the City of Des Moines and the Regional Commission on Airport Affairs on 30 days notice, as set forth in the contract."

SUMMARY STATEMENT

The City of Des Moines contracts with the Regional Commission on Airport Affairs for services which are "of assistance to the City in regards to the third runway or expansion of Sea-Tac Airport." The 2002 contract is for \$28,000.00. The contract includes a termination provision , as follows:

5. Termination

This contract may be terminated by either party upon thirty (30) days written notice, in which event RCAA will be entitled to pro rata compensation based on the number of months this contract has remained in effect and the quantity and quality of services performed by RCAA on behalf of the City.

The Mayor requests that the Council consider cancellation of this contract.

**AGREEMENT FOR SERVICES
BY AND BETWEEN
THE CITY OF DES MOINES AND
THE REGIONAL COMMISSION ON AIRPORT AFFAIRS ("RCAA")
FOR THE YEAR 2002**

The CITY OF DES MOINES ("City"), a municipal corporation, and the REGIONAL COMMISSION ON AIRPORT AFFAIRS ("RCAA") agree as follows:

FACTS AND ASSUMPTIONS

THIS AGREEMENT is entered into on the basis of the following facts and assumptions:

RCAA is a corporation, incorporated under the Nonprofit Corporations Act of the State of Washington.

The purpose for which RCAA is organized is to actively oppose the proposed third runway and related expansion of Seattle-Tacoma International Airport (Sea-Tac Airport) and to educate the local public concerning the environmental, economic, and social effects.

The RCAA recognizes that the City, in cooperation with the Airport Communities Coalition (ACC), is or may become engaged in litigation with the Port of Seattle, the Federal Aviation Administration, the Puget Sound Regional Council and others regarding many of the same issues with which the RCAA is concerned.

For these reasons, the City Council of the City of Des Moines has allocated funds to contract with RCAA which will be of assistance to the City in regards to the third runway or expansion of Sea-Tac Airport.

AGREEMENT FOR SERVICES

Accordingly, and in reference to the foregoing, the parties agree as follows:

1. RCAA Responsibilities

(a) RCAA shall provide to the City services which the City may from time to time require in achieving the goals previously described with regard to the third runway or expansion of Sea-Tac Airport. These services shall include the following:

- Information booths at public festivals in Burien, Normandy Park, Des Moines, Federal Way, Tukwila, Beacon Hill, Magnolia and other areas impacted by the expansion of Sea-Tac Airport;
- Schedule monthly citizen involvement activities in Olympia, Seattle, Sea-Tac Airport and the Greater Puget Sound Region, as necessary;

- Host town meetings in the Greater Puget Sound Region to inform and educate the public and elected officials as needed.
- Maintain a web site to provide in-depth and immediate information to the public;
- Publish a quarterly newsletter;
- Recruit new members;
- Expand the mailing list upon request of city councils;
- Send action alerts to all RCAA members as deemed necessary by the RCAA Board of Directors;
- Placement of informational advertisements as deemed necessary by the RCAA Board of Directors;
- Conduct elected official outreach at the state, county, and local levels;
- Provide other activities as deemed necessary by city councils;

(b) RCAA shall ensure that all of its activities on behalf of the City are in compliance with applicable state, federal and local law, including without limitation, any reporting requirements of the Washington Public Disclosure Commission that are applicable, or in the future become applicable, to actions or assignments undertaken by RCAA;

(c) RCAA will at all times maintain accurate and appropriate financial records. At any time during the term of this Agreement, within seven (7) days of a written request from the Des Moines Finance Director, RCAA agrees to make available to the City Finance Director for audit and inspection any and all records maintained by RCAA, including without limitation, receipts for goods, services, payroll, expenditures, and study costs; and

(d) RCAA will regularly seek contributions through its mailings and public activities.

2. *Limitations on RCAA Activities*

To ensure that RCAA's efforts are consistent with and complement the City's efforts through the ACC, the RCAA shall not use City funds for the following activities, without the prior approval of the City:

- Retaining experts or professionals to assist in developing technical information related to the impacts of Sea-Tac Airport;
- Dissemination of technical reports or other technical information prepared in contemplation of litigation, or in any manner related to the issues raised (or to be raised) in ACC litigation;
- Retain any professional or consultant who has been retained by the ACC (unless approved by the ACC); or

- Publication (including electronic publication) of any attorney/client privileged materials prepared for litigation by the ACC, its counsel, consultants, or staff.

3. *RCAA Meeting Requirements*

An officer of the RCAA shall meet with a member or members of the City staff on a periodic basis so that the City may provide RCAA with its requirements and RCAA may report on services rendered.

4. *City Responsibilities*

In consideration of the services performed by RCAA, the City shall compensate RCAA in the amount of twenty-eight thousand dollars (\$28,000.00) during the year 2002, payable in four installments, which shall be paid on or before February 15, 2002, May 15, 2002, August 15, 2002, and November 15, 2002, or when otherwise authorized by the City Council..

5. *Termination*

This contract may be terminated by either party upon thirty (30) days written notice, in which event RCAA will be entitled to pro rata compensation based on the number of months this contract has remained in effect and the quantity and quality of services performed by RCAA on behalf of the City.

6. *Independent Contractor, Hold Harmless Agreement*

RCAA warrants and understands that in performing services under this agreement, it is an independent contractor and is not an agent, servant, or employee of the City of Des Moines and it will not represent itself as such. RCAA agrees to defend, indemnify, and hold the City, its officers, officials, agents, employees, and volunteers harmless from any claim, damages, suit, action or liability, costs of expenses in law or equity, including attorney fees and expenses in defending against any such claim because of damages to property or personal injury arising out of the services performed under this agreement, which may be occasioned by any willful or negligent act or omission of RCAA, or any of RCAA's agents, servants, employees, or subcontractors, except to the extent such injury is caused by the negligent or willful misconduct of the City, its directors, officers, agents, servants, or employees.

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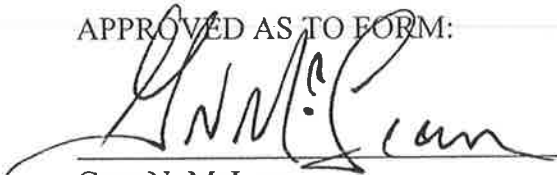
7. ***Ratification, Confirmation, and Retroactive Application.***

Any acts consistent with the authority and prior to the effective date of this agreement are hereby ratified and confirmed. This agreement is effective as of January 1, 2002.

DATED this 1ST day of February, 2002.

APPROVED AS TO FORM:

CITY OF DES MOINES

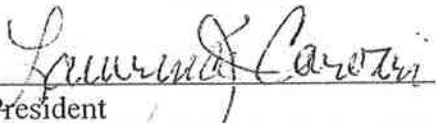


Gary N. McLean
City Attorney

By 

Robert L. Olander
Its City Manager

REGIONAL COMMISSION ON
AIRPORT AFFAIRS

By 
Its President