

REGULAR MEETING OF THE DES MOINES CITY COUNCIL

MINUTES

September 24, 1998

The regular meeting of the Des Moines City Council was called to order at 7:40 p.m. by Mayor Thomasson in the Council Chambers, 21630 11th Avenue South.

Pledge of Allegiance to the Flag was led by Councilmember Towe.

ROLL CALL - Present: Mayor Scott Thomasson, Mayor Pro Tem Terry Brazil, Councilmembers Dave Kaplan, Bob Sheckler, Dan Sherman, Gary Towe and Don Wasson. Also present were City Manager Bob Olander, Assistant City Manager Tony Piasecki, City Attorney Gary McLean, Planning Manager Corbitt Loch, and Deputy City Clerk Angela Chaufy.

COMMENTS FROM THE PUBLIC

Al Furney, 24718 Marine View Drive South

As president of the Regional Commission on Airport Affairs, Mr. Furney noted that the comment period for the conveyor belt proposal EIS would end on October 6, 1998. He informed Council that the Department of Ecology has noted that the Port of Seattle is presently unable to implement provisions of the water quality certification. He felt this is due to the fact that the Port of Seattle does not have the right to transfer water from existing facilities to augment in-stream flows and maintain water temperature in Des Moines Creek. He also noted that the Port of Seattle has stated that the wetland impacts of the proposed expansion project will be two to three times higher than anticipated. Mr. Furney stated that the RCAA is urging the environmental impacts be considered in total. He noted that the project is currently eight years behind schedule, federal funding sources have fallen short, and four airlines have voiced their opposition to the expansion project. In closing, Mr. Furney applauded the efforts of Council and the Airport Communities Coalition.

Jeanne Moeller, 22211 Cliff Avenue South, #104

Ms. Moeller encouraged Council to continue the legal battle against the expansion of SeaTac International Airport. She noted that no project permits have been issued nor has sufficient land been purchased. She felt that Judge Alsdorf's ruling on the Growth Management Act limited the authority of local governments and would not stand.

Richard Larson, 920 South 226th Place

Mr. Larson addressed Council regarding the condition of the Field House sod. He felt that an improper sprinkling system had caused the sod to dry out. He has contacted staff regarding the issue and has been dissatisfied with their response.

BOARD & COMMITTEE REPORTS

Planning Agency

Councilmember Kaplan reported that the Planning Agency had met to review building heights and development standards for the Pacific Ridge Element.

Airport Communities Coalition

In response to rumors, Councilmember Sheckler clarified that construction of the third runway had not begun but that dirt was being stockpiled by the Port of Seattle in anticipation of the project.

Suburban Cities Association

Mayor Pro Tem Brazil noted that the Association had met with King County Executive Ron Sims to discuss solid waste disposal issues. He informed Council that regional services are a key issue in the King County budget process. Mayor Pro Tem Brazil also stated that the legislative committee has strongly encouraged the resolution of the Regional Governance and Finance issue. In closing, Mayor Pro Tem Brazil announced that he had been asked to attend a meeting regarding water quality.

METRO

Councilmember Sherman stated that METRO Bus Route 189 is now providing service to Des Moines. He announced that the expansion of Route 166 has been delayed until February.

Seattle King County Public Health Board

Councilmember Sherman announced that the Public Health Board had passed an ordinance severely restricting tobacco advertising in King County. The ordinance would take affect in six months.

Moving King County 2000

Councilmember Sherman announced that the committee had continued discussion regarding the prioritizing of transportation needs, associated costs, and funding sources.

PRESIDING OFFICER'S REPORT

Pacific Middle School Field Trip

Mayor Thomasson announced that he had accompanied Pacific Middle School students to the Puyallup Fair.

Mayors Day of Concern for the Hungry

Mayor Thomasson noted that Saturday, September 26, 1998 was designated Mayors Day of Concern for the Hungry.

Introduction of Mayor Christopher Taute, Riversdale, West Cape, South Africa

Upon Mayor Thomasson's request, Councilmember Sheckler introduce Mayor Taute from Riversdale, South Africa. He explained that Mayor Taute was observing local government structures in order to take ideas back to his country.

Virg Staiger from Highline Community College stated that Mayor Taute and Vi Daniels, Human Resource Director for South Africa Airways, were participating in the Center for International Education and Development Assistance through Indiana University.

On behalf of the Council, Councilmember Sheckler presented Mayor Taute with a City pen, pin, and history book.

CONSENT CALENDAR

Deputy City Clerk Chaufy announced that the dollar amount requested in Item #4 had been amended from \$800,000 to \$1,000,000. She then read the consent calendar as follows:

1. Motion is to approve the minutes of September 3 and 10, 1998.
2. Findings: Vouchers audited and certified by the auditing officer as required by RCW 42.24.080, and those expense reimbursement claims certified as required by RCW 42.24.080, have been recorded on a listing which has been made available to the City Council.

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

Claim check #63624 through #63941 in the total amount of \$1,243,779.97

Payroll fund transfers in the total amount of \$207,647.86

3. Motion is to award the contract for professional construction administration services for the 7th Avenue Local Improvement District Project to Harding Lawson Associates Infrastructure, Inc. in the amount of \$33,727.00 plus a 10% contingency, and further to authorize the City Manager to sign said contract substantially in the form as attached.

4. ~~Draft Resolution No. 98-218 – Title: A Resolution of the City Council of the City of Des Moines, Washington, authorizing application for funding assistance for an Aquatic Lands Enhancement Account project to the Department of Natural Resources.~~

~~MOTION is to approve Draft Resolution No. 98-218.~~

MOTION was made by Councilmember Sherman and seconded by Mayor Pro Tem Brazil to approve the consent calendar as read.

Item No. 4 was removed by Councilmember Wasson.

VOTE ON MOTION: Motion passed unanimously.

OLD BUSINESS

Draft Resolution No. 98-218/Assigned Res. No. 852] – Marine View Drive Bridge ALEA Grant Application

MOTION was made by Councilmember Sherman and seconded by Councilmember Towe to approve Draft Resolution 98-218.

Councilmember Wasson stated that he could not support the project as he felt it was an unwise use of tax dollars.

VOTE ON MOTION: Motion passed, 6 – 1, with Councilmember Wasson opposed.

PUBLIC HEARING

Draft Ordinance No. 98-219 - Comprehensive Plan Amendments Mandated by the Growth Management Hearing Board

City Attorney McLean introduced outside counsel John Hempelmann of Cairncross and Hempelmann.

Mr. Hempelmann stated that he believed the recommended revisions to the Greater Des Moines Comprehensive Plan were responsive to the Central Puget Sound Growth Management Hearing Board's issues.

City Attorney McLean noted that the Growth Management Hearing Board had granted the City an extension to October 16, 1998 for compliance. Mr. McLean read the rules for conducting a public hearing.

Mayor Thomasson set a three minute time limit for the speakers.

SPEAKER

Al Furney, 24718 Marine View Drive South

Mr. Furney asked Council or staff to articulate the implications of the proposed amendments.

Mayor Thomasson called for additional speakers. None responded. Mayor Thomasson confirmed that representatives from the Port of Seattle did not wish to comment during the hearing.

Mayor Thomasson closed the public testimony portion of the hearing.

Mr. Hempelmann explained that the Growth Management Hearing Board had ruled that certain provisions of the City's Comprehensive Plan could be construed to have included pre-judgement of certain permits that could come before the City. Therefore, the proposed amendments would incorporate existing SEPA language into the Plan in order to retain the lawful authority of the City.

Councilmember Sheckler questioned what the outcome would be if SEPA and the Growth Management Act's essential public facility provisions were in conflict.

Mr. Hempelmann replied that the outcome of that situation was still unknown.

City Attorney McLean read the title of the draft ordinance into the record.

MOTION was made by Councilmember Sheckler, seconded by Mayor Pro Tem Brazil and passed unanimously to pass Draft Ordinance No. 98-219 on to a second reading on October 8, 1998.

NEW BUSINESS

Briefing: Puget Sound Regional Council

City Manager Olander introduced Immediate Past President Dave Russell, Current Vice President Bob Edwards, and Executive Director Mary McCumber of the Puget Sound Regional Council (PSRC). City Manager Olander asked the PSRC representatives to explain the benefits to City of Des Moines from remaining a member of PSRC as well as any negative effects from withdrawing from the organization.

Mr. Russell noted that the PSRC serves as a regional planning forum for developing strategies and funding for economic and transportation issues. He cited the following programs as examples of the PSRC's efforts:

- Industrial Land Survey
- 2020 Project
- Green Space Survey
- Transportation Pricing

Mr. Edwards described the representation of the committee and felt that the Pacific Highway South Improvement Project illustrated the benefits of the cooperation of the south end cities.

Ms. McCumber distributed a paper citing the benefits of PSRC membership.

Council voiced concern and dissatisfaction with the following PSRC's actions:

- "Not in my backyard" attitude.
- Operation as a political body rather than a planning body.
- Process used in supplemental airport search.
- PSRC did not follow its own process in recommending approval of the expansion of SeaTac International Airport.
- Third Runway review process was altered to accommodate own desires.
- PSRC's conditions not met by Port of Seattle yet process allowed to proceed.
- Annual report stated that the PSRC is pursuing proper mitigation of airport expansion but it has not followed up on the Burien study.
- Annual report does not discuss need for supplemental airport.
- Supplemental airport issue was not a state issue until Paine Field was determined to be an unacceptable option.
- PSRC has supported Port of Seattle in legal battle against City.
- City of Des Moines' dues utilized to fight Des Moines in court.
- Insufficient scrutiny of important regional issues.
- No way for small voice to be heard.

Ms. McCumber stated that the PSRC's 1996 resolution authorizing the planning for the third runway recognized long term transportation needs. She stated that the PSRC now feels that air capacity is a state issue and that the state needs to pursue that issue. She noted that the PSRC serves as a resource for information data. In regard to federal funding allocations, Ms. McCumber stated that the PSRC evaluates all projects against specific criteria whether the City is a member of PSRC or not. Ms. McCumber explained that representation in PSRC's general assembly is established upon a weighted vote system based on population. She confirmed that all PSRC meetings are open to the public and the City could still participate as a non-member.

City Manager Olander noted that he had served on the Technical Committee for PSRC to study supplemental airports. He felt that the credibility of the PSRC was compromised when funding was denied to continue the study to Phase 2 and the project was aborted. He also noted that the Noise Arbitration Panel was given binding authority to decide the issue but then the process was changed.

Councilmember Towe felt that Des Moines could have more of an impact through the South County Transportation Board and Suburban Cities Association.

Councilmember Wasson felt that the PSRC's damage to Des Moines far outweighed the benefits of the committee. He noted that the current routing plan for the RTA does not include Des Moines.

Mayor Pro Tem Brazil suggested that Council delay any action.

MOTION was made by Councilmember Sheckler and seconded by Councilmember Wasson to discontinue membership of the City of Des Moines in the Puget Sound Regional Council effective July 1, 1999.

Mayor Pro Tem Brazil stated that he would not support the withdrawal of membership as the third runway is only one issue. He felt that it was important for Des Moines to maintain an influence within PSRC.

VOTE ON MOTION: Motion passed, 6 –1, Mayor Pro Tem Brazil opposed.

At 9:38 p.m., Mayor Thomasson declared a seven minute break.

AGENDA REVISIONS

Mayor Thomasson announced that Draft Resolution No. 98-159 - Request for Waterline Easement – Parkside Wetlands would be discussed October 8, 1998 while the park element of Request for Final Plat Approval - Westwood - File #FP 96-002 would be discussed at the October 1, 1998 Study Session. The request for final plat approval – Westwood would occur at the October 8, 1998 meeting.

OLD BUSINESS

Pacific Ridge Element of the Greater Des Moines Comprehensive Plan - File #CP98-008

Planning Manager Loch displayed slides illustrating various building heights. He also featured design elements utilized by Vancouver and Richmond, BC. After direction has been given from Council, staff will study various design standards and review the economic feasibility of specific designs.

NEXT MEETING DATE – October 1, 1998 Study Session

ADJOURNMENT

The meeting adjourned at 10:27 p.m.

Respectfully submitted,

Angela M. Chaufy
Deputy City Clerk