

REGULAR MEETING DES MOINES CITY COUNCIL

MINUTES

October 7, 1999

The regular study session of the Des Moines City Council was called to order by Mayor Thomasson at 7:42 p.m. in the Council Chambers, 21630 11th Avenue South.

ROLL CALL - Present: Mayor Scott Thomasson, Mayor Pro Tem Terry Brazil, Councilmembers Dave Kaplan, Bob Sheckler, Dan Sherman, Gary Towe and Don Wasson (arrived at 8:57 p.m.). Also present were City Manager Bob Olander, Assistant City Manager Tony Piasecki, City Attorney Gary McLean, Finance Director Scott McCarty, Community Development Director Judith Kilgore, Judge Albert Raines, Court Services Manager Jennefer Henson, Assistant City Attorney Colleen Hartl and Deputy City Clerk Angela Chaufy.

DISCUSSION ITEMS:

Water Tower Park Dedication

Mayor Thomasson announced that the Water Tower Park had been dedicated earlier in the evening. The ceremony included representatives from City Council and Highline Water District Board of Commissioners.

Briefing: Legal/Court/Prosecution Department Update

Judge Raines stated that the objective of the Municipal Court was to provide impartial, competent, and efficient service to the community. He noted that the revised DUI laws have required additional record review duties for the court staff. He also informed Council that alternative sentencing methods have been utilized to increase compliance. In closing, Judge Raines thanked the citizens who have served as jurors for the court system.

Court Manager Henson reviewed the following recent improvements to the municipal court system:

- Increased revenue received from collection agency.
- Acceptance of VISA payments by phone.
- Increased juror participation.
- Improved court appearance notification process.
- Implementation of video arraignments for in-custodies resulting in increased security and reduced transporting costs.

Assistant City Attorney Hartl stated that no appeals of criminal cases had been filed in the last year. She displayed a chart displaying the figures for booked individuals versus failures to appear (FTA). She stated that the goal of the Municipal Court was to reduce the FTA's to 20%. She also noted that the users of the court were well represented by the public defenders.

In response to Councilmember Sherman's questioning, Assistant City Attorney Hartl explained that the officer had discretion to impound a vehicle for a DUI. Vehicle impound was not an option for violations for driving without insurance, however. She further informed Council that the city had the authority to authorize vehicle impound for violations for driving with a suspended license.

City Manager Olander noted that vehicle impound programs required large impound lots, impound hearings, and increased staff time.

Councilmember Sherman stated that he would be interested in reviewing draft legislation regarding vehicle impound for violations of driving with a suspended license.

Assistant City Attorney Hartl informed Council that staff was wearing purple ribbons in recognition of October as Domestic Violence Awareness Month.

Upon questioning from Councilmember Towe, Assistant City Attorney Hartl explained that state statute determined the maximum cap for fines and allowed for various costs to be recouped.

City Attorney McLean applauded staff for their efforts and noted that Assistant City Attorney Hartl had been selected as a recipient for a Violence Against Women grant twice.

SEPA Appeal & Draft Ordinance No. 99-199 [Assigned Ord. 1243] Consideration of ICUP Ordinance

City Attorney McLean reviewed the background of the SEPA appeal. He confirmed that Mayor Pro Tem Brazil had viewed the video of the last deliberation and had reviewed all documents presented. City Attorney McLean noted that Councilmember Wasson had previously recused himself from the proceedings. Mr. McLean informed Council that language had been added to the standard of review statement which clarified that the law did not allow the City Council to base its decision in an appeal of a SEPA threshold determination on speculation or other information that was not corroborated or properly substantiated on the record.

MOTION was made by Mayor Pro Tem Brazil, seconded by Councilmember Kaplan, and passed unanimously to adopt the Findings, Conclusions of Law and Decision on the SEPA Appeal with Mr. Ulery.

Mayor Thomasson read the title of Draft Ordinance No. 99-199. He confirmed that this was the second reading of the legislation.

MOTION was made by Councilmember Kaplan and seconded by Councilmember Sheckler to adopt Draft Ordinance No. 99-199, granting an Interim Conditional Use Permit for the proposed Ramada Project subject to the conditions of approval imposed through such ordinance.

Mayor Thomasson endorsed the improvement of the neighborhood but expressed concern with the transition of the project to the surrounding neighborhood. He voiced his support for the type of project represented but felt that the structure was too high and bulky for its location. Therefore, he would not support the ordinance.

In response to Councilmember Sherman's request, Community Development Director Kilgore clarified that Council's direction had been to preserve view corridors by stair-stepping structures by following the natural topography of the land. Specifically, facilities between Pacific Highway South and 24th Avenue South could be constructed to 55 feet while eight story buildings could be allowed on the east side of Pacific Highway South. She also noted that buildings could be built even higher east of 30th Avenue South.

Councilmember Towe voiced support for the draft ordinance as he felt it supported Council's objectives to enhance the safety and character of the area. He also felt that the developer, staff and citizens had sufficiently mitigated the developmental impacts of the project.

Councilmember Kaplan complimented staff and the developer's efforts to reduce the impacts to the neighborhood.

Mayor Pro Tem Brazil stated his belief that the property value of the area would increase due to the project. He encouraged the citizens to develop a relationship with the owners and maintain ongoing communication.

Mayor Thomasson confirmed that the conditions mitigated by the first appeal had been incorporated into the draft ordinance.

VOTE ON MOTION: Motion passed, 5 – 1, with Mayor Thomasson opposed.

At 8:42 p.m., Mayor Thomasson declared a fifteen minute break.

At 8:57 p.m., Councilmember Wasson joined the meeting.

Presentation of 2000 Budget

City Manager Olander presented the 2000 Preliminary Budget to Council. He noted that the challenge before the City was to pare ongoing operating costs to match long-term slower revenue growth. City Manager Olander reviewed Council's strategic objectives and their related proposed budget allocations as outlined in the Executive Budget Summary.

Finance Director McCarty presented an overview of Year 2000 revenues, expenditures, contingencies, cash projection, and ending balances. He explained that the ending balances for the Capital Projects, Debt Service, Surface Water Manager Operating, Reserve Funds, and Marina Operating Funds were restricted.

Mayor Thomasson requested that staff provide a listing of the transfer of interfund monies and one-time revenues and costs in the budget document.

In order to balance the 2000 budget, City Manager Olander noted the following Year 2000 proposed program reductions:

- Reduce 1 FTE Park Maintenance position.
- Eliminate 1 SWM position.
- Shift one half of Recreation Manager's benefits and salary from Park Administration to Recreation Programs.
- Reduce Human Services appropriation from \$107,250 in 1999 to \$37,750 in 2000.
- Eliminate 1 CSO position
- Eliminate 3 Records Specialist positions and contract with Federal Way for record services.
- Reduce General Fund's sales tax revenue allocation to Municipal Capital Improvement Fund from \$185,000 in 1999 to \$150,000 in 2000.

In regard to budget policy issues, City Manager Olander noted that Referendum 47 changed the 6% increase in annual property tax yields to a limit based on the annual Implicit Price Deflator (except by supermajority vote of Council). He noted that the Department of Labor estimated the IPD for 2000 at 1.42%. He informed Council that the budget recommended a 3% increase equivalent to the Seattle CPI. Secondly, in response to Resolution 638, City Manager Olander proposed that the operating reserves be enhanced by placing a one-time moratorium on reserve transfers from General, Street, and Park to Equipment Replacement Reserve and Facilities Reserve. City Manager Olander noted that detailed review of specific departmental budgets would begin October 14, 1999. Upon questioning, he stated that the Year 2000 budget did not propose any substantial fee increases.

Mayor Thomasson asked for a legal opinion regarding the legality of automatic fee increases should Initiative 695 pass.

City Manager Olander informed Council that staff was compiling a list of all fees that could be affected by Initiative 695.

Initiative 695 Budget Alternatives

City Manager Olander informed Council that passage of Initiative 695 would result in a loss of \$1,752,487 to the General, Streets, and Parks Fund and \$384,540 to the Arterial Streets Fund in Year 2000. Based upon these figures, City Manager Olander outlined the following alternatives:

- Alternative A - 15% Reduction to Police and 20% reduction to all other departments.
- Alternative B - Assorted transfers and transfer moratoriums plus departmental cuts ranging from 5 to 20% (Stop Gap Measure).
- Alternative C - Submit Park & Recreation Special District to voters and implement departmental cuts up to 15%.

Upon questioning, City Manager Olander informed Council that a Public Safety District could not be formed. City Manager Olander noted that the state had not yet indicated any contingency plans. Therefore, he felt it was prudent to not count on any additional state assistance should the initiative pass. He reviewed the actual staff and program cuts involved with the above listed alternatives. City Manager Olander then explained the following revenue options available:

- 1% Utility Tax
- Business Tax
- Recreation Fee Increase
- Building & Zoning Fee Increase
- Street Light Utility
- Business Tax on Marina

Should Initiative 695 pass, City Manager Olander recommended the following alternative:

- 1% Utility Tax Increase \$300,000
- Recreation Fee Increase 80,000
- Building and Zoning Fee Increase 100,000
- Street Light Utility 180,000
- One time revenue measures from

Alternative B	909,000
• 5% Cut to Judicial	14,680
• 10% Cut to Park & Recreation	118,292
• 5% Cut to Support Services	37,225
• 5% Cut to Legal	<u>13,290</u>
Total	\$1,752,487

He asked Council to set this information aside until the results of the Initiative 695 vote were known.

Future Meeting Dates

City Manager asked that Council conduct special meetings to discuss zoning regulations for the Pacific Ridge area on November 17, 1999 and December 8, 1999.

NEXT MEETING DATE

Mayor Thomasson announced the next regular meeting would be October 14, 1999.

ADJOURNMENT

The meeting adjourned at 10:30 p.m.

Respectfully submitted,

Angela M. Chaufy
Deputy City Clerk