MINUTES

DES MOINES CITY COUNCIL
REGULAR MEETING
City Council Chambers
21630 11th Avenue South, Des Moines

November 14, 2019 – 7:00 p.m.

CALL TO ORDER

Mayor Pina called the meeting to order at 7:01 p.m.

PLEDGE OF ALLEGIANCE

The flag salute was led by Mayor Pina.

ROLL CALL

Council present: Mayor Matt Pina; Deputy Mayor Vic Pennington; Councilmembers Traci Buxton, Luisa Bangs, Robert Back, Jeremy Nutting and Matt Mahoney.

Staff present: City Manager Michael Matthias; Chief Operations Officer Dan Brewer; Chief Strategic Officer Susan Cezar; City Attorney Tim George; Assistant City Attorney Matt Hutchins; Finance Director Beth Anne Wroe; Deputy Finance Director Shawn Hunstock; Public Works Director Brandon Carver; Transportation & Engineering Services Manager Andrew Merges; Water Quality Specialist Tyler Beekley; Assistant Director of Parks, Recreation and Senior Services Nicole Nordholm; Assistant Harbormaster Katy Bevegni; Planning & Development Services Manager Denise Lathrop; Deputy City Clerk Taria Keane.

CORRESPONDENCE

- There were no correspondences

COMMENTS FROM THE PUBLIC

- Rick Johnson, Des Moines, Graffiti
- Jim Langston, Des Moines, Bayside Brunch and Election
- Kimi Walker, Des Moines, New Business - Straight Blast Gym

BOARD AND COMMITTEE REPORTS/COUNCILMEMBER COMMENTS

Deputy Mayor Vic Pennington

- Mount Rainier High School Football Game
- Veteran's Day Celebration

Councilmember Mahoney

- Meet and Greet at Edward Jones
- Quarterdeck 1st Anniversary
- Trick or Treat Path
- Buccaneers Bingo
- Vaping 101: The Truth Behind The Haze
- Department of Commerce Airport Impacts Study
- Mount Rainier High School Football Game
- Veteran's Day Event
- Squid-A-Rama

Councilmember Back

- Commented on Consent Calendar Item #3
- Association of Washington Cities Lawsuit

- Veteran's Day Event
- Genesis Project

Councilmember Bangs

- Mary Gay Park Opening Ceremony
- Police Department Advisory Board
- Girl Scout Troup
- Burien Coffee with Senator Keiser and Representative Orwall
- Art Commission Meeting
- Squid-A-Rama
- Commented on Consent Calendar Item #7, Item #8, and Item #9

Councilmember Nutting

- Coffee with Cop
- Green Des Moines Day at Kiddie City Park
- Highline School Foundation Auction
- Des Moines Holiday Farmers Market
- Des Moines Police Foundation Shop with a Cop
- New Business - Straight Blast Gym

Councilmember Buxton

- Environment Committee Meeting
- Public Issues Committee
- Commented on Consent Calendar Item #3, Item #4, Item #6, Item #7, Item #8, Item #9, and Item #10

PRESIDING OFFICER'S REPORT

- Retirement of the South King Fire & Rescue Chief Al Church

ADMINISTRATION REPORT

- Municipal Research Services Corporation Webinar
- Chief Operations Officer Brewer information Council about impacts on the City's Paving Program due to the passing of I-976

CONSENT CALENDAR

Item 1: APPROVAL OF VOUCHERS

Motion is to approve for payment vouchers and payroll transfers through November 7, 2019 included in the attached list and further described as follows:

Total A/P Checks/Vouchers	#159122-159348	$1,103,609.34
Void Checks from Previous Check Runs		$ (341.36)
Electronic Wire Transfers	# 1328-1340	$ 534,203.67
Payroll Checks	# 19285-19292	$ 5,545.38
Payroll Direct Deposit	#420001-420170	$ 368,053.43
Payroll Checks	# 19293-19302	$ 11,644.29
Payroll Direct Deposit	#450001-450181	$ 379,150.24
Total Checks and Wires for A/P and Payroll:		$2,401,864.99

Item 2: APPROVAL OF MINUTES

Motion is to approve the October 10, 2019 Special Meeting, the October 10, 2019 and October 17, 2019 City Council Regular Meeting, and the November 7, 2019 Study Session Minutes.

Item 3: ILA WITH HIGHLINE WATER DISTRICT FOR 2019 AC WATER MAIN REPLACEMENT PROJECT

Motion is to approve the Interlocal Agreement between the City of Des Moines and Highline Water District regarding the 2019 AC Water Main Replacement Project, and further authorize the City Manager to sign said Agreement substantially in the form as submitted.

Item 4: 2020-2021 ON-CALL CONSULTANT AGREEMENTS FOR CIVIL ENGINEERING SERVICES

Motion is to approve the Consultant Services Contract for On-Call Civil Engineering Services (2020-2021) with Century West Engineering, Exeltech Consulting Inc., GeoDesign Inc., HWA Geosciences Inc., KPFF Consulting Engineers., KPG, P.S., Parametrix, Perteet, and Tetra Tech each up to $1,000,000.00, and authorize the City Manager to sign the Consultant Services Contract substantially in the form as submitted.

Item 5: DRAFT ORDINANCE NO. 19-101 UPDATING DES MOINES MUNICIPAL CODE (DMMC) CHAPTERS 3.84 AND 3.85 TO REFLECT CHANGES MADE TO STATE LAW AFFECTING THE CITY'S BUSINESS AND OCCUPATION TAX CODE

Motion 1 is to suspend Rule 26(a) in order to enact Draft Ordinance No. 19-101 on first reading.

Motion 2 is to enact Draft Ordinance No. 19-101 authorizing an amendment to the Business and Occupation Tax Code, DMMC 3.84.040, 3.84.090, 3.84.110, 3.85.070, 3.85.180, and 3.85.270, reflecting changes to state law affecting city B&O tax administration.

Item 6: COMMUTE TRIP REDUCTION PROGRAM

Motion is to approve the Interlocal Agreement between the City of Des Moines and King County, Department of Transportation, Metro Transit Division for the implementation of the Commute Trip Reduction Program for July 1, 2019 through June 30, 2021.

Item 7: INTERLOCAL COOPERATION AGREEMENT BETWEEN KING COUNTY AND THE CITY OF DES MOINES FOR CONSERVATION FUTURES-FUNDED OPEN SPACE ACQUISITION PROJECT

Motion is to enact Draft Resolution No 19-111 approving the Interlocal Agreement with King County for Conservation Futures funded open space acquisition projects.

Item 8: VETS SENIORS AND HUMAN SERVICES LEVY (VSHSL) GRANT

Motion 1 is to accept the King County Veterans Seniors and Human Services Levy (VSHSL) Grant for grant funding in the amount of $185,300 for the African Diaspora Senior Hub, and authorize the City Manager to sign the grant agreement substantially in the form as submitted.

Motion 2 is to approve the purchase of a 2018 Ford Metrolink Shuttle Van with a portion of the grant funds, and authorize the City Manager to sign the agreement substantially in the form as submitted.

Item 9: DEPARTMENT OF ECOLOGY 2019-2021 STORMWATER GRANT AGREEMENT
Motion is to approve the 2019-2021 Water Quality Stormwater Capacity Grant Agreement between the State of Washington Department of ecology and the City of Des Moines, and further to authorize the City Manager to sign said Agreement substantially in the form as submitted.

Item 10: DRAFT ORDINANCE NO. 19-085 – ADOPTING LEGISLATION TO AUTHORIZE A SALES AND USE TAX FOR AFFORDABLE AND SUPPORTIVE HOUSING
Motion 1 is to suspend Council Rule 26(a) in order to enact Draft Ordinance No. 19-085 on first reading.

Motion 2 is to enact Ordinance No. 19-085, imposing a sales and use tax for affordable and supportive housing in accordance with Substitute House Bill 1406, fixing the tax rate and defining the permissible uses of the proceeds consistent with state law.

Item 11: 2020 CONSULTANT CONTRACT: BHC CONSULTANT, LLC
Motion is to approve Amendment 1 to the contract with BHC Consultants, to provide professional inspection and plan review services for the year 2020 up to a total of $40,000, and authorize the City Manager to sign the Contract substantially in the form submitted.

Item 12: 24TH AVE S & 208TH ST INTERSECTION IMPROVEMENTS PROJECT: INTERLOCAL AGREEMENT WITH CITY OF SEATAC
Motion is to approve the Interlocal Agreement with the City of SeaTac for the 24th Ave S & S 208th St Intersection Improvements Project, and further authorize the City Manager to sign said Interlocal Agreement substantially in the form as submitted.

Item 13: 2020 VEHICLE AND EQUIPMENT PURCHASE
Motion is to approve the purchase of vehicles and equipment identified in Attachment 1 for a total estimated amount of $257,000 and to authorize the City Manager or the City Manager's designee to sign the purchase orders substantially in the form as attached.

Item 14: GILL PROPERTY RIGHT-OF-WAY DEDICATION
Motion is to authorize the City Manager to accept a right-of-way dedication from Narinderpaul Gill, which is at the north corner of Marine View Drive and 10th Ave South, as described in Attachment 1.

Direction/Motion

Motion made by Councilmember Bangs to approve the consent calendar; seconded by Councilmember Buxton.
Motion passed 7-0.

PUBLIC HEARING

Item 1: PUBLIC HEARING REGARDING 2020 GENERAL PROPERTY TAX LEVIES
Staff Presentation: Finance Director Beth Anne Wroe

Mayor Pina opened the Public Hearing at 7:50 p.m.

Finance Director Wroe gave a PowerPoint Presentation to Council.

Mayor Pina called for those that signed up to speak:
Bill Linscott, Des Moines, Asked a Question
Dave Henderson, Des Moines, Asked a Question

Mayor Pina asked 3 times if anyone else wished to speak.

Seeing none, Mayor Pina asked Council if they had any questions.

At 8:06 p.m. Mayor Pina closed the Public Hearing.

Direction/Action
Motion 1a made by Councilmember Back to suspend Rule 26(a) in order to enact Draft Ordinance No. 19-108 on first reading; seconded by Councilmember Nutting.
Motion passed 7-0.

Motion 1b made by Councilmember Back to enact Ordinance No. 19-108, determining the amount of funds to be raised by ad valorem taxes for the year 2020 for general City expenditures; seconded by Councilmember Nutting.
Motion passed 7-0.

Motion 2a made by Councilmember Back to suspend Rule 26(a) in order to enact Draft Ordinance No. 19-114 on first reading; seconded by Councilmember Nutting.
Motion passed 7-0.

Motion 2b made by Councilmember Back to enact Draft Ordinance No. 19-114 authorizing the increase in ad valorem taxes for the year 2020 for general City expenditures; seconded by Councilmember Nutting.
Motion passed 7-0.

Item 2: 2020 PRELIMINARY ANNUAL BUDGET, 2ND READING
Staff Presentation: Finance Director Beth Anne Wroe

Mayor Pina opened the Public Hearing at 8:08 p.m.

Finance Director Wroe gave a PowerPoint Presentation to Council.

Mayor Pina asked 3 times if anyone wished to speak.

Seeing none, Mayor Pina asked Council if they had any questions.

At 8:28 p.m. Mayor Pina closed the Public Hearing.

Direction/Action
Motion 1 made by Councilmember Bangs to direct Administration to eliminate all Transportation Benefit District Revenues from the 2020 Annual Budget, given the projected outcome of Initiative I-976; seconded by Councilmember Nutting.
Motion passed 7-0.

Motion 2 made by Councilmember Bangs to direct Administration to move $475,000 from the Arterial Pavement Program in the capital budget, to the Street Fund, in order to replace the Transportation Benefit District funding lost by Initiative I-976; seconded by Councilmember Nutting.
Motion passed 7-0.

Motion 3 made by Councilmember Bangs to pass Draft Ordinance No. 19-107, establishing the 2020 Annual Budget for the fiscal year ending December 31, 2020, as amended; seconded by Councilmember Nutting.
Motion passed 7-0.

Item 3: 2019 ANNUAL BUDGET AMENDMENTS
Staff Presentation: Finance Director Beth Anne Wroe

Mayor Pina opened the Public Hearing at 8:44 p.m.

Finance Director Wroe gave a PowerPoint Presentation to Council.

Mayor Pina asked 3 times if anyone wished to speak.

Seeing none, Mayor Pina asked Council if they had any questions.

At 8:46 p.m. Mayor Pina closed the Public Hearing.

Direction/Action
Motion 1 made by Councilmember Back to suspend Rule 26(a) in order to enact Draft Ordinance No. 19-109 on first reading; seconded by Councilmember Nutting.
Motion passed 7-0.

Motion 2 made by Councilmember Back to enact Draft Ordinance No. 19-109 relating to municipal finance, amending the 2019 Annual Budget adopted in Ordinance No. 1710; seconded by Councilmember Nutting.
Motion passed 7-0.

Item 4: PUBLIC HEARING TO CONSIDER DRAFT ORDINANCE 19-106 AMENDING THE DES MOINES 2035 COMPREHENSIVE PLAN AND PREFERRED LAND USE MAP
Staff Presentation: Planning & Development Service Manager Denise Lathrop

Mayor Pina opened the Public Hearing at 8:48 p.m.

Planning & Development Service Manager Denise Lathrop gave a PowerPoint Presentation to Council.

Mayor Pina asked 3 times if anyone wished to speak.

Seeing none, Mayor Pina asked Council if they had any questions.

At 8:52 p.m. Mayor Pina closed the Public Hearing.

Direction/Action
Motion 1 made by Councilmember Bangs to suspend Rule 26(a) in order to enact Draft Ordinance No. 19-106 on first reading; seconded by Councilmember Buxton.
Motion passed 7-0.

Motion 2 made by Councilmember Bangs to enact Draft Ordinance No. 19-106 enacting the 2019 amendments to Des Moines 2035: Charting our Course for a Sustainable Future and amending Chapters 18.05 and 18.25 DMMC; seconded by Councilmember Buxton.
Motion passed 7-0.

NEW BUSINESS

Item 1: FIRST READING – CITY COUNCIL RULES OF PROCEDURE UPDATES
Staff Presentation: City Attorney Tim George

City Attorney George gave a PowerPoint Presentation to Council.

Direction/Action
Motion made by Councilmember Nutting to place Draft Resolution No. 19-113, adopting the proposed amendments to the Des Moines City Council Rules of Procedure, on the next available Consent Calendar for a second reading and approval; seconded by Councilmember Back.

Motion made by Councilmember Buxton to amend Rule #4 to read 5 minutes; seconded by Councilmember Mahoney.
Motion failed 3-4.

For: Councilmember Back, Buxton, and Mahoney

Against: Mayor Pina; Deputy Mayor Pennington; Councilmembers Bangs and Nutting.

1. **Motion** made by Mayor Pina to amend Rule #7.1 to reduce telephonic participation to one per Councilmember per year with no compensation; seconded by Councilmember Buxton.

2. **Motion** made by Councilmember Back to amend amendment 1 to reduce telephonic participation to one per Councilmember per year with no compensation unless serving in an official and approved City business; seconded by Mayor Pina.
Motion passed 6-1.

   For: Mayor Pina; Deputy Mayor Pennington; Councilmembers Back, Bangs, Buxton, and Mahoney.

   Against: Councilmember Nutting

   Motion made by Mayor Pina to amend Rule #19.B to reduce the time perimeter to 5 minutes when addressing motions; seconded by Councilmember Nutting.
Motion passed 7-0.

   Motion made by Mayor Pina to amend Appendix A – The Spirit of Des Moines Awards Program Policy – Review Committee to read Deputy Mayor and two other Councilmembers shall serve on the committee; seconded by Councilmember Mahoney.
Motion passed 7-0.

   Motion made by Mayor Pina to amend Appendix A – The Spirit of Des Moines Awards Program Policy – Review Process to read Nominations are solicited from the Community in September of even numbered years. The Review committee shall meet following receipt of the nominations and finalists shall be chosen by the committee by January 1, or as soon thereafter as reasonably possible; seconded by Councilmember Mahoney.
Motion passed 7-0.

   Motion made by Mayor Pina to amend Appendix A – The Spirit of Des Moines Awards Program Policy – Public Acknowledgement to read The Spirit of Des Moines Awards shall be given out at a public meeting or event by the Mayor and the City Council upon the earliest date possible following the selection of the recipients; seconded by Councilmember Mahoney.
Motion passed 7-0.

   Main Motion passed 7-0.

   Mayor Pina extended the meeting until 10:02 p.m.

EXECUTIVE SESSION

At 9:42 p.m. Council went into Executive Session. The purpose of the Executive Session was to discuss the Performance of a Public Employee under RCW 42.30.110(1)(g). Those in attendance: Mayor Pina; Deputy Mayor Pennington; Councilmembers Bangs, Buxton, Mahoney, Nutting and Back; City Manager Michael Matthias and City Attorney Tim George. The Executive Session was expected to last 20 minutes.

At 10:02 p.m. Mayor Pina extended the Executive Session an additional 10 minutes.

The Executive Session concluded at 10:12 p.m.

The Executive Session lasted 30 minutes.

No formal action was taken.

NEXT MEETING DATE:

December 5, 2019 City Council Study Session.

ADJOURNMENT

The meeting adjourned at 10:12 p.m.

Respectfully Submitted,
Taria Keane
Deputy City Clerk