

AGENDA

DES MOINES CITY COUNCIL
City Council Chambers
21630 11th Avenue S, Suite C.
Des Moines, Washington
Thursday, April 3, 2025

City Council meeting can be viewed live on the City's website, Comcast Channel 21/321 or on the City's [YouTube](#) channel.

CITY COUNCIL COMMITTEE OF THE WHOLE 5:00 p.m. - 6:00 p.m.

CALL TO ORDER

COMMITTEE OF THE WHOLE ITEMS

- Item 1. NEIGHBORHOOD TRAFFIC CALMING PROCEDURES
[Neighborhood Traffic Calming Procedures](#)
[Neighborhood Traffic Calming Program PowerPoint](#)
- Item 2. CONTRACTING ALARM MANAGEMENT
[Contracting Alarm Management](#)
[False Alarm Management Solutions PowerPoint](#)
- Item 3. ACCESSORY DWELLING UNITS
[Accessory Dwelling Units](#)
[Accessory Dwelling Units PowerPoint](#)

CITY COUNCIL STUDY SESSION, 6:00 p.m. - 9:00 p.m.

PLEDGE OF ALLEGIANCE

ROLL CALL

CORRESPONDENCE

COMMENTS FROM THE PUBLIC

Comments from the public must be limited to the items of business on the Study Session Agenda. Please sign in prior to the meeting and limit your comments to three (3) minutes.

DISCUSSION ITEMS

- Item 1. CITY LOGO DISCUSSION
[City Logo Discussion](#)
- Item 2. CITY COUNCIL PROTOCOL MANUEL REVIEW
[City Council Protocol Manual Review](#)
- Item 3. COMPREHENSIVE PLAN UPDATE
[Comprehensive Plan Update](#)

EXECUTIVE SESSION

NEXT MEETING DATE

April 10, 2025 City Council Regular Meeting

ADJOURNMENT

[Projected Future Agenda Items](#)

COMMITTEE OF THE WHOLE

BUSINESS OF THE CITY COUNCIL
City of Des Moines, WA

SUBJECT: Neighborhood Traffic Calming
Procedures

FOR AGENDA OF: April 3, 2025

DEPT. OF ORIGIN: Public Works

ATTACHMENTS:

DATE SUBMITTED: March 27, 2025

- 1. Neighborhood Traffic Calming Standard Operating Procedure

CLEARANCES:

- City Clerk _____
- Community Development _____
- Courts _____
- Finance _____
- Human Resources _____
- Legal /s/TG _____
- Marina _____
- Police _____
- Parks, Recreation & Senior Services _____
- Public Works *MPS*

APPROVED BY CITY MANAGER

FOR SUBMITTAL: *Katherine Coffey*

Purpose and Recommendation

The purpose of this Committee item is to brief the Committee on a new formal process for the City’s Neighborhood Traffic Calming Procedures. This item is informational only and does not require Committee action.

Background

The City currently lacks formalized Neighborhood Traffic Calming Procedures, relying instead on municipal code provisions and engineering judgment to address speeding concerns. Recognizing the need for a structured approach, City staff developed Neighborhood Traffic Calming Procedures that align with the City’s municipal code and reflects best practices in traffic calming.

This initiative aims to create a clear, transparent process for addressing speeding concerns and improving safety in residential neighborhoods. As part of this effort, the City will launch a dedicated online submission form to streamline community input and ensure data-driven decision-making.

The Neighborhood Traffic Calming Procedures will follow a structured three-phase approach to establish standardized procedures for evaluating, prioritizing, and implementing traffic calming measures to enhance roadway safety.

Phase 1: Eligibility Assessment

- Citizens submit traffic concerns via the City’s Neighborhood Traffic Calming website
- Engineering staff conduct an on-site traffic study, including a 3-day speed and volume count
- Minimum eligibility requirements include:
 - Average Daily Traffic (ADT) between 500 and 4,000
 - At least 20% of vehicles exceeding the speed limit by 5 mph
 - The street must not be classified as an arterial
- Disqualifying criteria include dead-end streets, cul-de-sacs, scheduled resurfacing within two years, and locations with unsafe installation conditions

Phase 2: Education & Awareness

- The City prioritizes non-physical traffic calming measures first, such as:
 - Passive techniques: brush trimming, improved signage, radar feedback signs
 - Targeted enforcement: collaboration with the Police Department for speed monitoring
- If passive measures prove ineffective, data collection continues to assess further interventions

Phase 3: Engineering & Physical Traffic Calming Devices

- If a temporary solution fails or if an immediate safety concern exists, physical devices are considered
- To proceed, a corridor must score a minimum of 20 points (see Scoring Criteria below)
- Physical traffic calming devices may include speed humps, chicanes, traffic circles, curb extensions, or other appropriate measures

Scoring Criteria for Physical Traffic Calming Measures

The following point-based system ensures that the most severe traffic issues are addressed first:

Criteria	Points
Average Daily Traffic (ADT)	Up to 10
Traffic Speed (85th Percentile Exceeding Limit by >5 mph)	Up to 15
Cut-Through Traffic (≥25% of ADT during peak hours)	10
Crash History (5-year data)	Up to 20
Pedestrian Facility (Presence of Sidewalks)	Up to 5
Nearby Traffic Generators (Schools, Parks, Businesses)	Up to 5

Implementation Guidelines

- Prioritization is based on scoring to allocate funding efficiently
- Community-driven requests ensure local engagement and reduce frivolous submissions
- Traffic enforcement should be the initial response unless a severe safety hazard is identified
- Traffic should be managed rather than diverted to nearby residential streets
- Cost-effective solutions should be prioritized to maximize program reach

Discussion

Based on the Neighborhood Traffic Calming Procedures, staff has identified five locations citywide to construct speed humps as part of a pilot project. These locations are currently under design and it is expected that construction will be completed by fall 2025. The specific locations are the following:

- 8th Ave S between S 206th and S 207th St
- S 229th St between 21st Ave S and 23rd Pl S
- 30th Ave S between KDM and S 224th St (two speed humps)
- 21st Ave S between S 240th St and S 243rd St
- 14th Pl S and S 257th Pl

Staff will monitor the pilot project locations over a set period and adjust strategies as needed. As a part of the evaluation process, staff will review the findings and determine if project expansion is warranted.



NEIGHBORHOOD TRAFFIC CALMING STANDARD OPERATING PROCEDURE

<p>Approved By</p> <p>Michael P. Slevin III Public Works Director</p>	<p>Effective Date</p> <p>3/10/2025</p>
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1.0 PURPOSE

As stated in Chapter 12.65.030 of the Des Moines Municipal Code, Neighborhood Traffic Calming Program (NTC):

The purpose of this chapter is to address neighborhood concerns with regard to traffic safety issues. These issues include, but are not limited to, reducing the problems of accidents, nonlocal traffic, spillover parking, and vehicles speeding on residential streets. The procedures established by this chapter enable citizens and/or community groups to participate in the problem identification, planning, design, implementation, and evaluation stages of projects meant to remedy traffic safety problems.

2.0 APPROACH

The process begins with a concerned citizen submitting a traffic concern through the City’s Neighborhood Traffic Calming website. Once received, the City will review the concern. The review will follow the procedure for the three-phased program: *Eligibility, Education, and Engineering.*

Phase 1 - Eligibility: To establish eligibility, engineering staff will conduct an on-site traffic study. The study will determine if the corridor meets the minimum criteria by completing a 3-day speed and volume count (see section 4.0 Eligibility). Other factors such as the existing roadway geometry, existing traffic devices, and streetlight coverage will also be evaluated unless otherwise directed by the Public Works Director.

Disqualifying criteria: Dead end streets, cul-de-sacs, a street scheduled for resurfacing within two years and locations where installation of a traffic calming device would create unsafe conditions (such as on a curve, grade or other physical constraint), *do not qualify* for the neighborhood traffic calming program.

Phase 2 - Education: The goal of this phase is to increase driver awareness of traffic safety. This can be achieved by implementing the least restrictive traffic calming strategy/device that will solve the specific problem. Passive techniques should be explored first but if physical devices are necessary the least intrusive or restrictive types of devices should be evaluated first, such as a temporary radar feedback sign. Another option is targeted enforcement by collaborating with the Des Moines Police Department. Typically, the City can implement less restrictive solutions more easily and quickly than



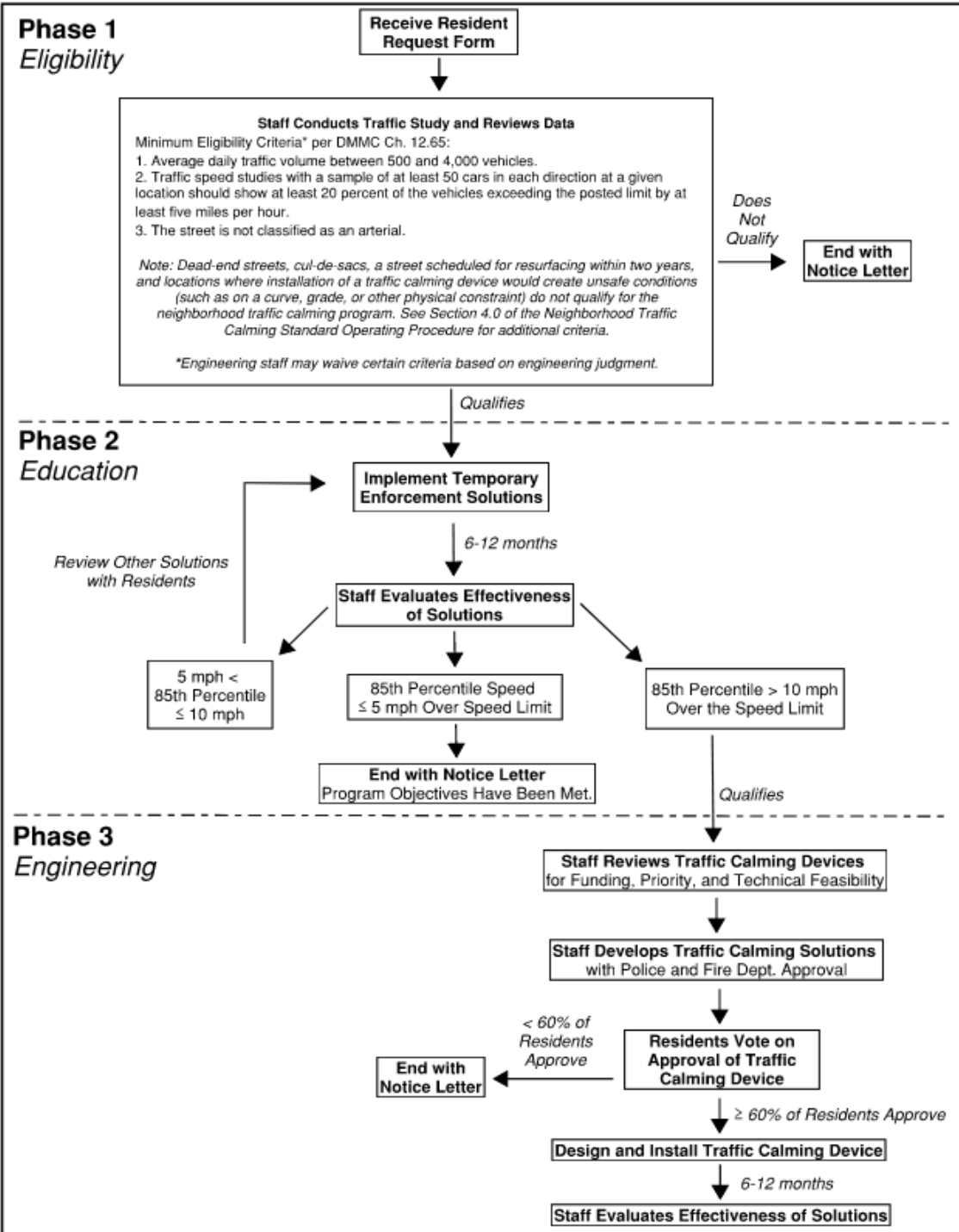
NEIGHBORHOOD TRAFFIC CALMING STANDARD OPERATING PROCEDURE

physical traffic calming devices. It is recognized, however, that these solutions may produce benefits that are only temporary, and that conditions need to be monitored.

Phase 3 - Engineering: Only if a temporary solution is deemed inadequate or if there is an immediate safety concern, should this phase be implemented. The corridor must have a minimum score of 20 points to proceed, see section 5.0 Scoring Criteria. During this phase, all eligibility criteria will be utilized to determine the most suitable physical traffic calming device.



NEIGHBORHOOD TRAFFIC CALMING STANDARD OPERATING PROCEDURE





NEIGHBORHOOD TRAFFIC CALMING STANDARD OPERATING PROCEDURE

4.0 ELIGIBILITY CRITERIA

Neighborhood Traffic Calming Projects should meet all of the following minimum criteria per Des Moines Municipal Code Chapter 12.65:

- a. Average daily traffic (“ADT”) volumes should be greater than 500 ADT but less than 4,000 ADT.
- b. Traffic speed studies with a sample of at least 50 cars in each direction at a given location should show at least 20 percent of the vehicles exceeding the posted speed limit by at least five miles per hour.
- c. The street under consideration for a traffic calming project is not classified as an arterial.

Disqualifying criteria: Dead end streets, cul-de-sacs, a street scheduled for resurfacing within two years and locations where installation of a traffic calming device would create unsafe conditions (such as on a curve, grade or other physical constraint), *do not qualify* for the neighborhood traffic calming program.

4.1 **Additional Engineering Criteria**

The additional criteria narrow down the available traffic calming devices that may be used in the area, and they should only be enforced when education and temporary solutions fail to fix the existing problem.

- 4.1.1 **Cut-Through Traffic:** Vehicles that use neighborhood streets or private areas to avoid traffic congestion. A peak hour volume (AM or PM) that is 25% of the daily traffic volume.
- 4.1.2 **Crash History:** 5-year collision data obtained from Crossroads Analytics and Sector, the City database for crash reports. Points are given for each traffic related collision.
- 4.1.3 **Pedestrian or Bicycle Facility:** Existing sidewalks or bike lanes.
- 4.1.4 **Traffic Generators:** Nearby schools, parks, or businesses that may contribute to traffic volume. Must be within ¼ of a mile.
- 4.1.5 **Bus and Emergency Access Routes:** Determine if the corridor is used by large or emergency vehicles. May require coordination with the fire department.
- 4.1.6 **Drainage Provisions:** Coordinate with storm water and environmental engineering.
- 4.1.7 **Others:**
 - 4.1.7.1 For vertical deflection devices, the existing grade of the roadway should not exceed 8 percent.
 - 4.1.7.2 Traffic calming devices cannot be installed within 600 feet of a traffic signal or 250 feet of a stop sign.



NEIGHBORHOOD TRAFFIC CALMING STANDARD OPERATING PROCEDURE

A minimum total score of 20 points is required to move forward with the use of a physical traffic calming device. If the total score is less than 20 points, the City may consider additional engineering judgment and will work with the neighborhood on education and enforcement.

5.0 SCORING CRITERIA

CRITERIA	POINTS
Average Daily Traffic (ADT) Volume	
<u>Local Street</u> (Under 1,500 ADT)	
0 – 500	0
501 – 700	1
701 – 900	3
901 – 1,100	5
1,101 – 1,300	7
1,301 – 1,500	10
1,500+	Increase Classification
<u>Neighborhood Collector</u> (Under 4,000 ADT)	
0 – 1,500	0
1,501 – 2,000	1
2,001 – 2,500	3
2,501 – 3,000	5
3,001 – 3,500	7
3,501 – 4,000	10
4,000+	Increase Classification
Traffic Speed (85th Percentile)	
Exceeding Posted Speed (miles per hour)	
0.0 – 5.0	0
5.1 – 7.0	5
7.1 – 9.0	7
9.1 – 11.0	10
11.1 +	15
Cut-Through Traffic – See 4.1.1	
Crash History Trend	
Property Damage Only	3
Possible Injury	5
Minor Injury	10
Serious Injury	15
Fatality	20
Pedestrian Facility	
Sidewalks on Both Side	1
Sidewalk on Either Side	3
No Sidewalks	5
Traffic Generators – School, Park, or Business	
Outside of the ¼ mile threshold	1
Known school or transit route	3
Street borders one of these	5



NEIGHBORHOOD TRAFFIC CALMING STANDARD OPERATING PROCEDURE

6.0 RESOURCES

“Neighborhood Traffic Calming Program.” *Des Moines Municipal Code*,
<https://www.codepublishing.com/WA/DesMoines/#!/html/DesMoines12/DesMoines1265.html>.

“Traffic Calming EPrimer.” *Traffic Calming EPrimer | FHWA*,
<https://highways.dot.gov/safety/speed-management/traffic-calming-eprimer>.



NEIGHBORHOOD TRAFFIC CALMING PROGRAM

APRIL 3, 2025
ALLYSSA BEAVER, EIT

BACKGROUND

Chapter 12.65 NEIGHBORHOOD TRAFFIC CALMING PROGRAM

Sections

- [12.65.010 Title.](#)
- [12.65.020 Application.](#)
- [12.65.030 Purpose.](#)
- [12.65.040 Authority.](#)
- [12.65.050 Coordination.](#)
- [12.65.060 Program guidelines.](#)
- [12.65.070 Minimum criteria.](#)
- [12.65.080 Neighborhood corridor projects.](#)

12.65.010 Title.

This chapter shall be entitled "Neighborhood Traffic Calming Program." [Ord. 1578 § 165, 2013.]

12.65.020 Application.

This chapter shall apply to the development traffic calming measures in the right-of-way. [Ord. 1578 § 166, 2013.]

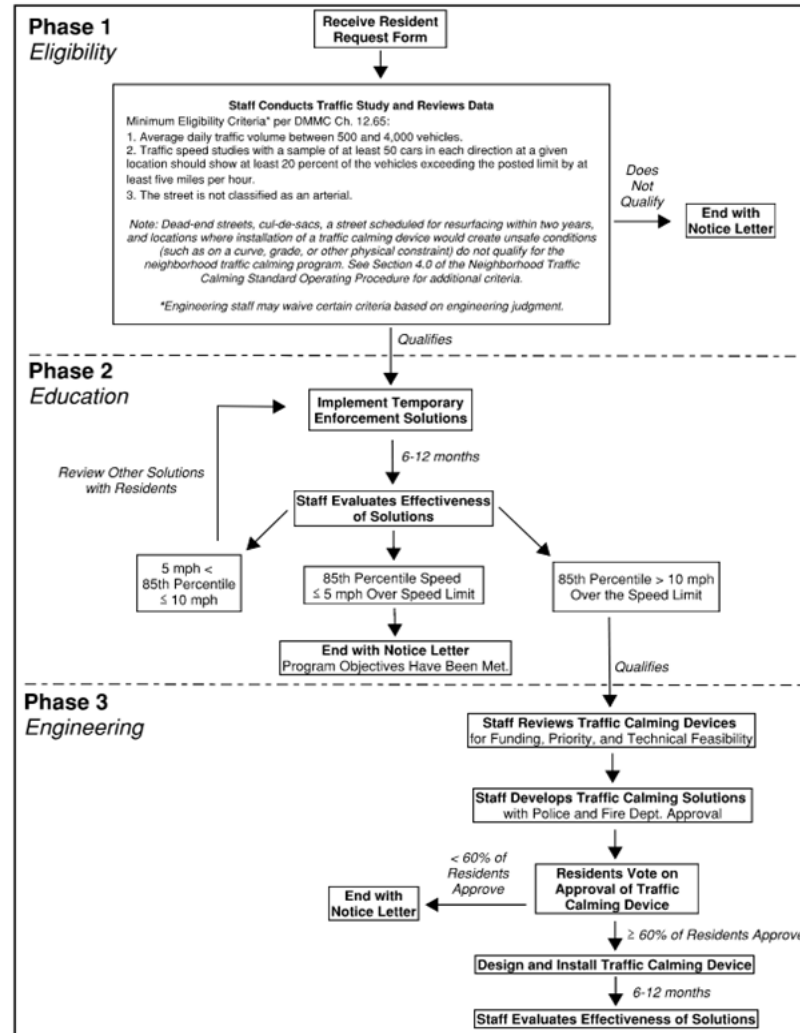
12.65.030 Purpose.

The purpose of this chapter is to address neighborhood concerns with regard to traffic safety issues. These issues include, but are not limited to, reducing the problems of accidents, nonlocal traffic, spillover parking, and vehicles speeding on residential streets. The procedures established by this chapter enable citizens and/or community groups to participate in the problem identification, planning, design, implementation, and evaluation stages of projects meant to remedy traffic safety problems. [Ord. 1578 § 167, 2013.]

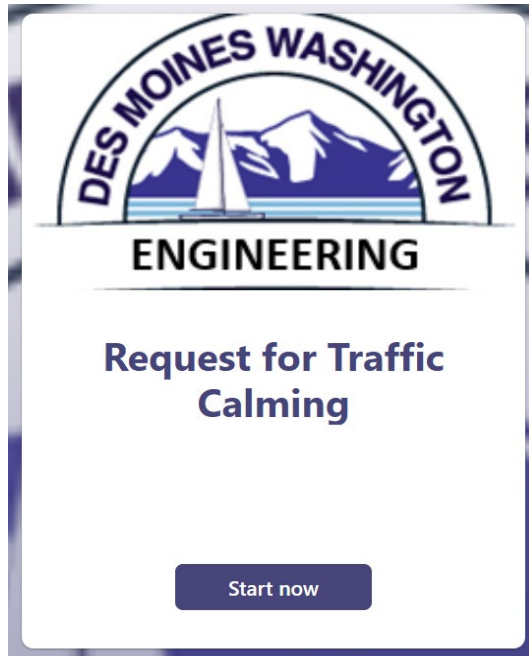
12.65.040 Authority.

The Planning, Building and Public Works Director shall have the power to prepare and adopt procedures as needed to implement the provisions of this chapter. [Ord. 1578 § 168, 2013.]

FORMALIZED PROCESS



PHASE I: ELIGIBILITY ASSESSMENT



Request for Traffic Calming

* Required

1. Contact Name *

Enter your answer

2. Phone Number

Enter your answer

3. Email Address *

Enter your answer

4. Address

Enter your answer

5. Location of traffic concern

Enter your answer

6. Check applicable traffic concerns

Speeding

Cut-Through Traffic

Pedestrian/Bicycle/Traffic Safety

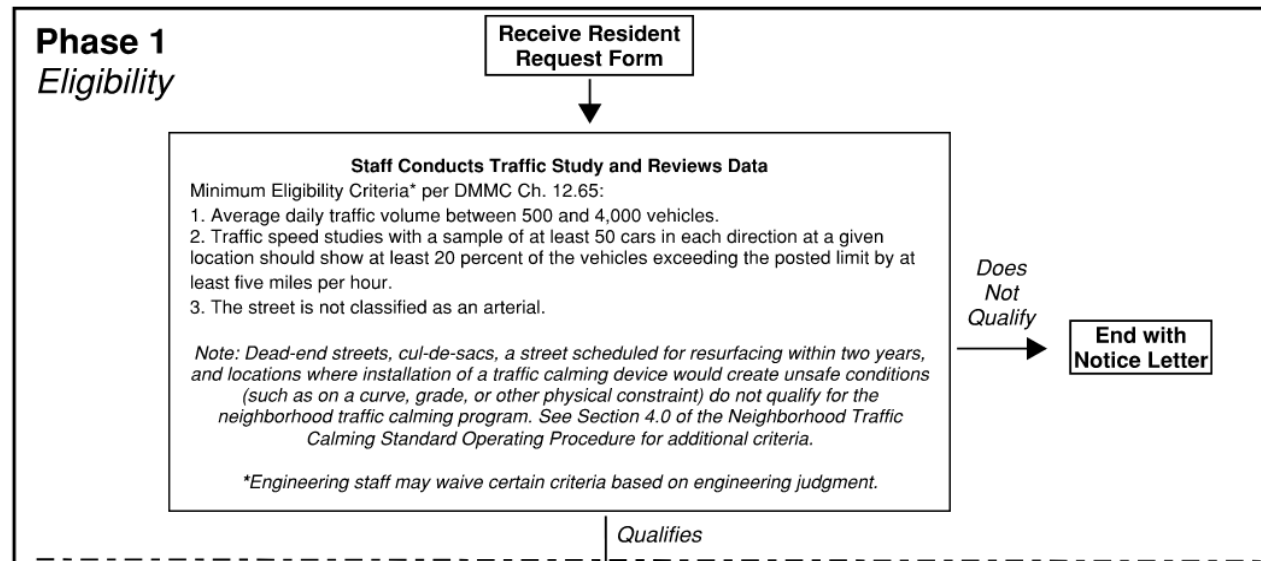
Other

7. Additional comments or background information regarding the concern

Enter your answer

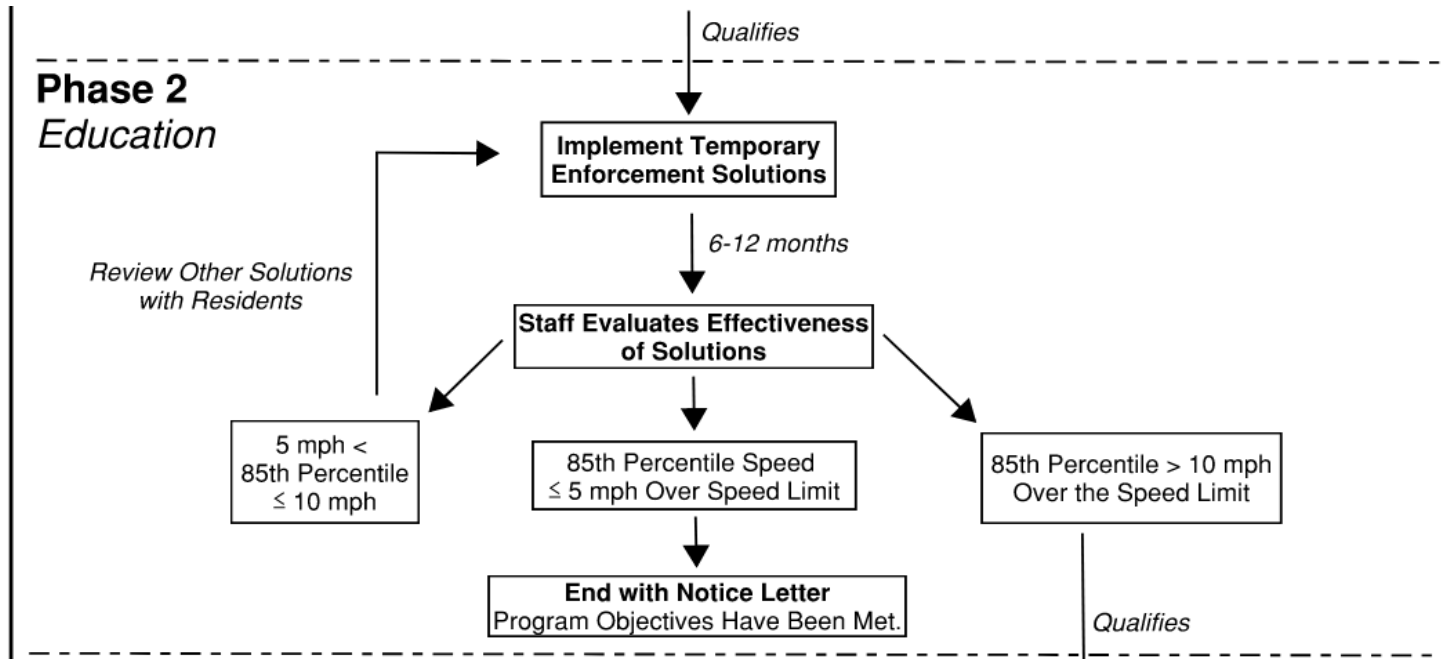
[Traffic Calming Online Submission Link](#)

PHASE I: ELIGIBILITY ASSESSMENT

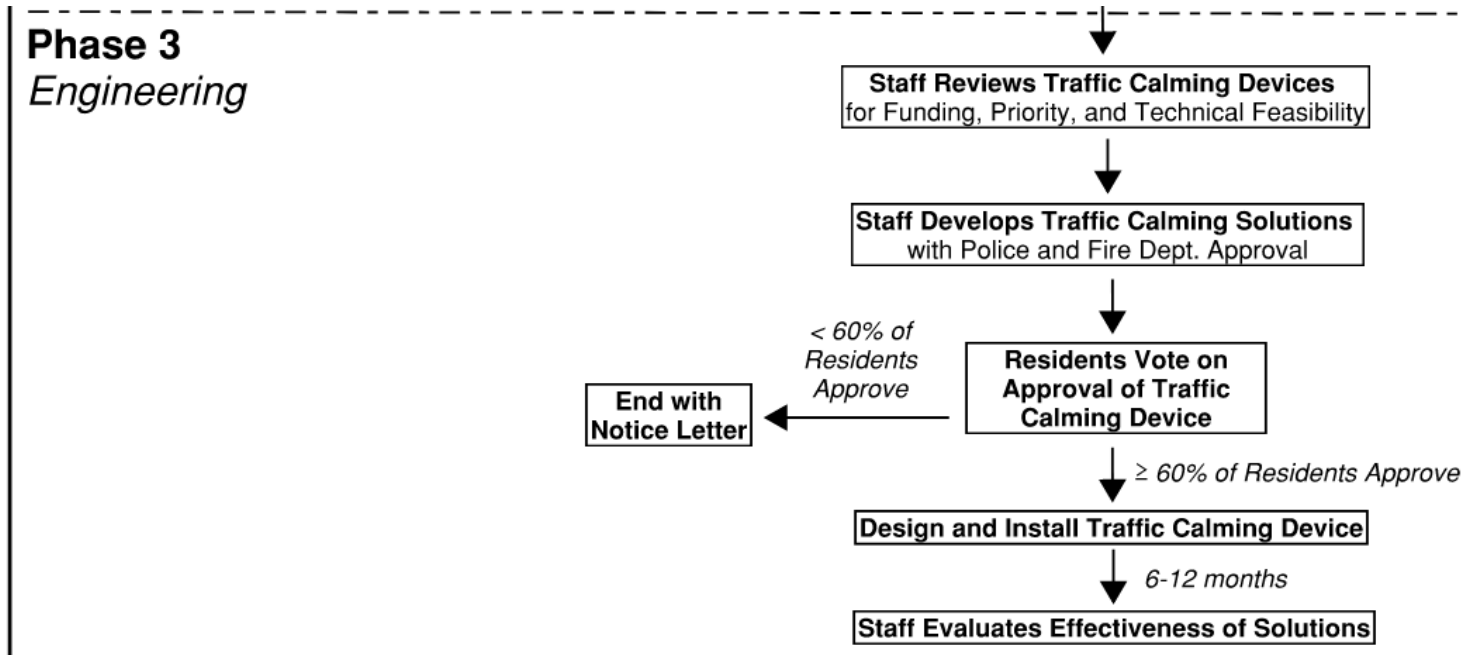


Phase 1 - Eligibility: To establish eligibility, engineering staff will conduct an on-site traffic study. The study will determine if the corridor meets the minimum criteria by completing a 3-day speed and volume count (see section 4.0 Eligibility). Other factors such as the existing roadway geometry, existing traffic devices, and streetlight coverage will also be evaluated unless otherwise directed by the Public Works Director.

PHASE 2: EDUCATION



PHASE 3: ENGINEERING



IMPLEMENTATION GUIDELINES

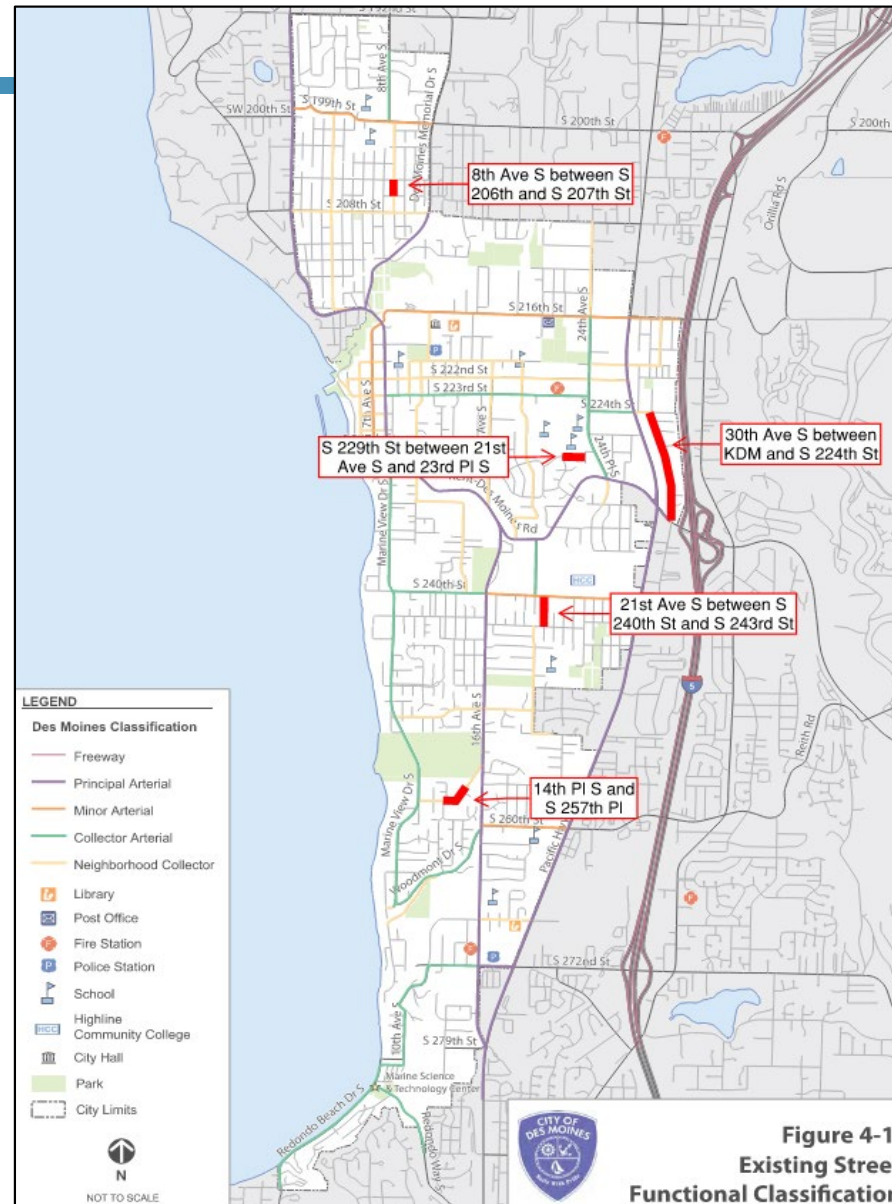
- Address speeding on non-arterial routes
- Prioritize locations
- Community-driven
- Traffic enforcement
- Cost-effective solutions

PILOT PROJECT AND NEXT STEPS

- The City has identified five locations for speed humps as a pilot project
- Design underway, construction this summer
- Staff will monitor locations
- Potential expansion in future

PILOT LOCATIONS

- 8th Ave S between S 206th and S 207th St
- S 229th St between 21st Ave S and 23rd PI S
- 30th Ave S between KDM and S 224th St
- 21st Ave S between S 240th St and S 243rd St
- 14th PI S and S 257th PI



SCORING CRITERIA

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COMMITTEE OF THE WHOLE

BUSINESS OF THE CITY COUNCIL
City of Des Moines, WA

SUBJECT: Contracting Alarm Management

FOR AGENDA OF: April 3, 2025

ATTACHMENTS:

- 1. FAMS Service Capabilities

DEPT. OF ORIGIN: Police

DATE SUBMITTED: March 25, 2025

CLEARANCES:

- City Clerk _____
- Community Development _____
- Courts _____
- Finance *ML*
- Human Resources _____
- Legal */s/TG*
- Marina _____
- Police *[Signature]*
- Parks, Recreation & Senior Services _____
- Public Works _____

APPROVED BY CITY MANAGER

FOR SUBMITTAL: *Katherine Coffey*

Purpose and Recommendation

Discussion with council on outsourcing our alarm system management, from the customer experience when applying for a permit to the collection of fines for false alarms in violation of our city code.

Background

Currently alarm management is the responsibility of our DMPD Records Unit, who performs these tasks in conjunction with other duties. Management of alarm system permits and enforcement of false alarm fines utilizes a large block of time in our DMPD Records Unit and have significant direct costs, such as postage for mailing renewal notices and fines. This unit is not sufficiently staffed to dedicate the time and resources necessary to provide a dedicated customer experience to the registration process or conduct follow up work to assure compliance. As a result, our compliance is less than ideal and we have a large number of fees/fines that are left unpaid.

In switching to a contracted model, we are increasing both efficiency and effectiveness in enforcing our alarm management. FAMS is a specialized company, with the resources to maximize the customer experience and compliance with our ordinances. This will reduce both the direct costs to the city as well

as the labor committed to this task, while simultaneously allowing us to increase focus on public safety priorities impacting the city.

The city will realize an additional benefit by creating capacity in our records unit for processing of camera-based public safety tickets, as this responsibility was transitioned to the DMPD Records Unit when the legislation allowed for non-commissioned personnel to process the violations in 2024.

Discussion

This is a presentation only- no action required by council. DMPD will continue to explore contracting opportunities, where appropriate, to increase revenue and maximize the efficiency of our limited resources.

PM AM FAMS (False Alarm Management Solution)

Product Portfolio

I. Introduction

PM AM is an experienced and qualified False Alarm Management Program provider with a proven track record of providing robust programs to Cities and Counties across the Country and Canada for the last 15 years. Our product portfolio is made up of three distinct different services that address the unique requirements for potential customers in reference to population, ordinance and goals of the program. These services are:

FAMS Full Service

FAMS Product

FAMS Product Lite

PM AM's success in the marketplace comes from its deep understanding of alarm ordinances and program requirements, coupled with our software solution that is rooted with the latest technologies, including Artificial Intelligence and Machine Learning. The FAMS Platform is the cornerstone for all three unique False Alarm Program Services that are available to potential customers based on their needs. This robust Platform along with in house project management, technical support and development team, redundant call centers and the ability to leverage the "Best Practices" of over 130 cities and counties is what makes PM AM the industry leader.

End-to-End Program Management – PM AM FAMS™ provides end-to-end program management to serve the needs of cities, citizens, businesses, alarm companies and elected officials. All PM AM FAMS™ features are included in one price — there are no add-ons or fees for extra features and disjointed integration needs.

Device and Platform Independent Solution – FAMS™ is a 100 percent cloud-based solution since 2004 and has advanced to a full range of digital initiatives. It is both a device and platform-independent solution. Now, citizens, businesses and city officials can access the services from any device, whether it is a smartphone, laptop or iPad. The solution is available on Android, iOS, Facebook and Web. Citizens can now apply for a permit, make payments, update contact information, etc. through the city website, maintained by PM AM, reaching out to a PM AM Customer Service Representative by phone, or chat. This is how we define our journey of more than 15 years in Alarm Management industry.

Adopting Best Practices that are Auditable – PM AM continues to be committed to achieving industry certifications and standards to ensure that security, procedures, protocols and personnel who support the FAMS™ platform are up to date with the latest standards. We have many Awards and Certifications; furthermore, we are a "CJIS Ready" certified (Criminal Justice

Information Services) solution. This certification was awarded to PM AM after a thorough review of PM AM's systems, procedures, protocols and personnel who support the FAMS™ platform.

Reporting – PM AM encourages the participation of our customers to make FAMS™ more applicable and productive. As a result, PM AM is proud to have established more than 100 different real-time, live data-driven report functions that directly impact day-to-day working of our customers. PM AM has never turned down a meritorious request to add functionality or a report from a partner city and has never charged a dollar. This willingness of PM AM to listen to its customers has resulted into a strong user community that regularly participates in making FAMS™ better for the whole community.

False Alarm Reduction – PM AM fulfills its commitment of reducing false alarms through precision targeting, powered by data and advanced analytics that identifies repeat offenders. The longer-term and more integrated approach to engage the offenders coupled with impactful messaging results in alarm users rectifying the root cause of the false alarms.

Higher Collection Rates – With detailed insights into permit holders' paying behavior for several years, we are able to use Artificial Intelligence and analytical reports like trend analysis to collect much more data than the industry average. For instance, we know the false alarm charges are paid after 30 days, while permit renewal charges are paid within the first 30 days and that is how we launch our collection campaigns. PM AM typically targets 85 percent (or more) collections, and in most cases, we are successful in collecting at least 90 percent. We attribute this higher collection rate to our proprietary workflow and sophisticated collection methods which analyze payment trends and preferred payment platforms to help PM AM in its citizen outreach and collection efforts.

Cost Recovery Growth – In almost 100 percent of cases, PM AM can increase baseline cost recovery after it takes over a city's alarm program. While it grows the revenue, PM AM always faces the hurdle of balancing the overall revenue while reducing false alarms and the loss of associated revenue. PM AM deploys multiple time-proven proprietary processes to identify non-compliant businesses/residents and an engagement strategy that almost always results in higher compliance (permitting), driving higher revenue, which grows substantially for our partner cities.

II. FAMS Full Service

At PM AM with our full-service suite, we offer a platform that's 100% web based accessible anytime anywhere and PM AM manages and handles all task around the program. Our platform includes four different portals:

1. **Administrative**- User friendly with automated task to give you the most robust user interface. It is specifically designed for this application and includes a real time Dashboard, access to 100s of reports and the ability to export data via csv, pdf or excel formats.
2. **Citizens**- Customized easy to use reference for your citizens to use for all aspects of the program. Including permitting, paying fees, and ordinance and best practices information.

PM AM Corporation 5430 LBJ Freeway, Suite 370, Dallas, TX 75240

3. **Alarm Company**- Gives alarm companies in your area a database of their customers in your area which increases participation. Also gives you alerts of new alarm customers that have yet to obtain a permit and sends automated compliance reminder.
4. **Corporate** – PM AM subscribes to a service that provides the contact that has fiscal responsibility for the business, whether it is privately owned, a franchise, or a corporate store. This insures that notifications get to the right person who will put pressure on store managers to manage alarm usage and also gets invoices for false alarms to the individual that has decision making authority to pay the invoice.

As a part of this service you get the following benefits, that help your department re purpose valuable resources on other task. These services include:

Community Outreach - Ensures a smooth transition from either having no program to beginning a program, taking a program that is currently managed internally and now will be outsourced, or replacing another vendor with PM AM. PM AM reaches out to citizens to help them understand the goal of the Program and how the process works.

Permitting – Citizens can apply for permits either by going to citizen web page, access via the mobile app or calling the PM AM Call Centers via the 800 number.

Accessing CAD Alarm Data and Disposition Codes – PM AM will work with City IT to set up a FTP connection to push alarm data from the CAD to PM AM on a regular basis.

Billing - PM AM handles all the billing.

Collections - PM AM has a proven process in place that collects on average 90% plus of all outstanding false alarm and permit fees. All outstanding receivables will be worked to closure by PM AM.

Monthly Financial Reconciliations – Provided 3 – 5 business days after the end of the month and includes a full ledger and income statement.

Reports – Customer has the access to 100s of reports, ex. Number of alarms by day, week, month and year. Types; burglary, robbery, panic. How much has been billed, how much collected. Number of permits and many more.

III. FAMS Product

PM AM's FAMS Product is a robust, user friendly, SAAS Solution developed specifically for False Alarm Management. The same platform is utilized that is used with the Full Service Solution and the city or county uses your own resources to handle permitting, billing, collections and customer service.

With FAMS Product the customer has access to three customized, easy to use portals:

1. **Administrative-** User friendly with automated task to give you the most robust user interface. It is specifically designed for this application and includes a real time Dashboard, access to 100s of reports and the ability to export data via csv, pdf or excel formats.
2. **Citizens-** Customized easy to use reference for your citizens to use for all aspects of the program. Including permitting, paying fees, and ordinance and best practices information.
3. **Alarm Company-** Gives alarm companies in your area a database of their customers in your area which increases participation. Also gives you alerts of new alarm customers that have yet to obtain a permit and sends automated compliance reminder.

Also PM AM customizes a citizen alarm program web page for the city and PM AM will provide the necessary training and on-going customer support as needed.

IV. FAMS Product Lite

PM AM's FAMS Product Lite is a False Alarm Management Platform suited for smaller cities or counties that has issues with false alarms and minimal resources to manage a program. FAMS Product Lite is user friendly, cost effective and the same core solution as FAMS Product and Full Service.

With FAMS Product Lite the customer has access to two generic, easy to use portals:

1. **Administrative-** User friendly with automated task to give you the most robust user interface. It is specifically designed for this application and includes a real time Dashboard, access to 100s of reports and the ability to export data via csv, pdf or excel formats.
2. **Citizens-** Generic easy to use reference for your citizens to use for all aspects of the program. Including permitting, paying fees, and ordinance and best practices information.

PM AM will provide the necessary training and on-going customer support as needed.

V. Summary

PM AM has been a leader in global technology for over 20 years, specializing in solutions for Law Enforcement and Government Agencies. With over 450 customers nationwide PM AM has established long lasting relationships to help these agencies achieve optimum results year after year.

PM AM specializes in this unique field and are experts in getting the desired results your municipality wants to achieve. We understand that every municipality and Ordinance are different, PM AM has the ability to customize and tailor a solution for you.

Take a look at our robust offerings and decide which one fits for your municipality, we have a solution for everyone. PM AM will be glad to set up a 40 minute web meeting to demo any of the options highlighted above.

You can reach us at:

PM AM Corporation
David Moss
Vice President
davem@pmam.com
972-831-7404



FALSE ALARM MANAGEMENT SOLUTIONS

APRIL 3, 2025



CURRENT STATUS

- Alarm Permitting is Managed out of DMPD Records
 - Ancillary Duty
 - No Special Training or Expertise
- Alarm Registration is Online, Mail or In Person and DMPD
 - \$200 Fine for Failure to Register
- False Alarms are Processed and Billed by Records
 - Alarms 1st and 2nd are free, 3rd is \$100 and 4th or more is \$200
 - Labor and cost intensive (postage and printing)
- No Collection Service is Connected
 - Less than 50% Response to Fines
 - Less than 70% Response to Registration/Renewal Notices

CONTRACTED SERVICE - FALSE ALARM MANAGEMENT SOLUTIONS

- Professional Alarm Management
 - Specialized Solutions and Technology
 - Administration: Interface Dashboard, Reporting,
 - Community Page: Customized DM Page (permitting, registration, online fee payment, ordinance, etc.)
 - Alarm Company: Work with Alarm Company Databases to Get Customers Registered
 - Commercial Customers: Identify Who has Financial Responsibility for Location (decrease alarms and increase collections)
 - Connects to Spillman Directly (DMPD Records Management System)
- Efficiency within Records Unit
 - Capacity for Traffic Safety Traffic Camera
 - Cost Reductions in Postage and Printing
 - Focus on Public Safety Priorities

FAMS™ Alarm Program Focus | Objectives

1. False Alarm Reduction
2. Compliance / Enhanced Collections
3. Customer Service
4. Access and Platform
5. Appeals
6. Computer- Aided Dispatch
7. Key Points
8. FAMS Team



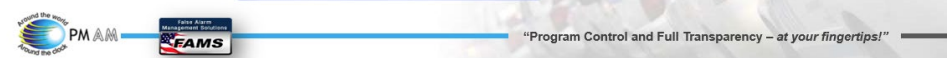
"To Provide THE MOST Efficient & Effective Solution" - Patrick Kumar, CEO

"Program Control and Full Transparency - at your fingertips!"

WHY FAMS

- Over 20 Years in Service
- Exceptional Data Security
- Awards and Recognition
- Proven Product and Partner
 - Reduction in False Alarms
 - Increase in Registration Compliance
 - Increase in Collection Rates
- Works on Margin (27%)

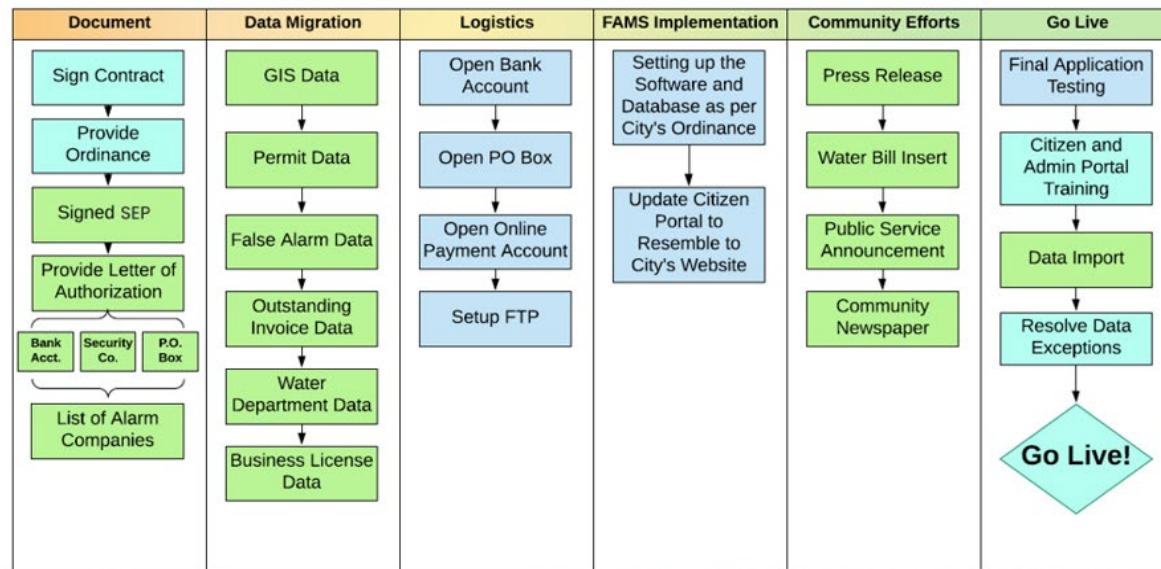
1. Issaquah, WA	14. Douglas County, CO
2. Lakewood, WA	15. El Dorado County, CA
3. Maricopa, AZ	16. Long Beach, NY
4. Chula Vista, CA	17. Oakland, CA
5. Canby, OR	18. Pembroke Pines, FL
6. Columbia County, NY	19. San Buenaventura, CA
7. Corpus Christi, TX	20. Reno, NV
8. City of Buckeye, AZ	21. Santa Monica, CA
9. Floral Park, NY	22. South Gate, CA
10. Houston, TX	23. Bellevue, NE
11. Antioch, CA	24. Columbia, TN
12. Jacksonville Sheriff's, FL	25. Miami Gardens, FL
13. Sparks, NV	26. Banning, CA
	27. Reno, NV



FAMS IMPLEMENTATION PROCESS

Implementation

FAMS Go Live Responsibility Chart



"Program Control and Full Transparency – at your fingertips!"

COMMITTEE OF THE WHOLE

BUSINESS OF THE CITY COUNCIL
City of Des Moines, WA

SUBJECT: Accessory Dwelling Units

FOR AGENDA OF: April 3, 2025


ATTACHMENTS:

- 1. Proposed ADU Regulations (Redlined)
- 2. Proposed ADU Regulations

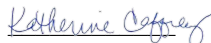
DEPT. OF ORIGIN: Community Development

DATE SUBMITTED: March 21, 2025

CLEARANCES:

- City Clerk _____
- Community Development 
- Courts _____
- Finance _____
- Human Resources _____
- Legal /s/TG
- Marina _____
- Police _____
- Parks, Recreation & Senior Services _____
- Public Works _____

APPROVED BY CITY MANAGER

FOR SUBMITTAL: 

Purpose and Recommendation

The purpose of this agenda item is for the Council to consider the proposed Accessory Dwelling Unit Regulations and provide staff direction

Background

The 2023 Washington State legislative session passed several housing and land use bills, including Engrossed House Bill 1337. HB 1337 aims to expand housing options by easing barriers to the construction and use of accessory dwelling units. State law requires all local governments in Washington State planning under the Growth Management Act to update their ADU regulations to comply with HB 1337 by June 30, 2025.

An accessory dwelling unit (ADU) is a dwelling unit located on the same lot as a single-family housing unit, duplex, triplex, townhome, or other housing unit. ADUs are also known by various other names, including accessory living quarters, mother-in-law suites, backyard cottages, attached accessory dwelling units (AADUs), and detached accessory dwelling units (DADUs). These units provide essential facilities for independent living, featuring kitchens, bedrooms, bathrooms, and sometimes separate entrances from the primary unit.

Accessory dwelling units offer many benefits, including diversifying housing options, increasing access to more affordable housing options, fostering diverse communities, and addressing the legacy of economic and racial exclusion in housing. They also play a key role in supporting first-time homeowners and essential workers, providing opportunities for older adults to age in place, accommodating smaller household sizes, increasing opportunities to build equity, and more.

The code update process requires a thorough review of Des Moines's existing ADU regulations to ensure they reflect new laws and requirements and respond to changing conditions within the community.

To help frame the scope of our update, City staff completed a review of Des Moines's existing ADU regulations for consistency with Engrossed House Bill 1337, RCW 36.70A.681, and the Washington State Department of Commerce's Guidance for ADUs in Washington State, and identified updates needed to comply with these requirements.

Discussion

Tonight's discussion will focus on proposed amendments to Des Moines Municipal Code (DMMC) 18.55.140 Accessory living quarters (ALQ) and supplementary amendments to DMMC 18.52.010A Residential use chart. City staff prepared a redlined copy of Des Moines' existing regulations that show proposed amendments to DMMC 18.55.140 and DMMC 18.52.010A (Attachment 1) in addition to a clean copy of the proposed amendments (Attachment 2).

Framework

City staff are proposing amendments to DMMC 18.55.140 Accessory living quarters (ALQ) and DMMC 18.52.010A Residential use chart to comply with Engrossed House Bill HB 1337 and RCW 36.70A.681. Per these new legislative requirements, cities:

- May not impose impact fees that are greater than 50% of impact fees imposed on the principal unit;
- May not require owner occupancy;
- Must allow up to two ADUs in any configuration;
- Must allow detached ADUs;
- Must allow ADUs on any lot that meets the minimum lot size required for the principal unit;
- Must allow ADUs to have a minimum of 1,000 square feet of gross floor area;
- May not limit roof heights to be less than 24 feet;
- May not impose design standards that are more restrictive than those for the principal unit;
- Must allow ADUs to be converted from existing structures, including but not limited to detached garages, even if they violate current code requirements for setbacks or lot coverage;
- May not prohibit the sale or other conveyance of an ADU as a condominium unit independently of the principal unit;
- May not require public street improvements as part of the permit process for ADUs; and
- May not require off-street parking for ADUs within ½ mile walking distance of a major transit stop.

City staff conducted a review of Des Moines' existing ADU regulations to ensure compliance with HB 1337, RCW 36.70A.681, and the Washington State Department of Commerce's Guidance for ADUs in Washington State. As a result of the review, proposed amendments address impact fees, owner occupancy, number and configuration of ADUs, size, design standards, location, conversions, separate sale, and parking.

Rationale:

Impact fees. HB 1337 states that impact fees may not exceed 50% of the impact fees imposed on the principal unit. Currently, all ADUs in Des Moines are subject to traffic impact fees, and while the impact fee cost is not the same as the principal unit's, it is greater than 50% of the traffic impact fees imposed on the principal unit.

Owner occupancy. Under the new state legislation, owner occupancy is no longer required, prompting Des Moines to eliminate its current policy which requires the owner to provide proof of occupancy.

Number and configuration. HB 1337 permits up to two ADUs in any configuration per residential lot that allows for single-family homes. Des Moines currently allows a single-family residence and one ADU per residential lot.

Size. HB 1337 states that a city may not establish a maximum gross floor area requirement for ADUs that is less than 1,000 sq. ft. of gross floor area. Des Moines' regulations imposed a maximum of 800 sq. ft. gross floor area for detached ADUs, and a size limitation of no more than 35% of the principal dwelling unit for attached ADUs.

Design standards. The new legislation asserts that a city may not impose setback requirements, yard coverage limits, tree retention mandates, restrictions on entry door locations, aesthetic requirements, or design review requirements for accessory dwelling units that are more restrictive than those for principal units. Though Des Moines does not impose design standards on single-family homes, its ADU code prompts a revision due to its specification that ADUs should be accessed either through the entrance of the principal dwelling unit or an additional side or rear entrance.

Location. HB 1337 permits detached ADUs to be sited at a lot line if the lot line abuts a public alley unless the city routinely plows snow on that public alley. Des Moines' current ADU code does not allow an ADU to be sited at a lot line no matter the circumstance.

Conversions. The new bill states that cities must allow ADUs to be converted from existing structures, including but not limited to detached garages, even if they violate current code requirements for setbacks or lot coverage. Des Moines allows ADU conversions; however, the conversion must comply with all development standards for the underlying zone, including setbacks and lot coverage.

Separate sale. Des Moines does not allow the separate sale of ADUs as condominium units; however, under HB 1337 cities may not prohibit the sale or other conveyance of a condominium unit independently of a principal unit simply on the basis the structure has been permitted as an ADU.

Parking. Des Moines requires one off-street parking stall in addition to the two parking stalls required for single-family homes. Under HB 1337, Des Moines may retain that requirement; however, the city must comply with the additional parking regulation that eliminates off-street parking for ADUs within one-half mile walking distance of a major transit stop.

The amendments to DMMC 18.52.010A Residential use chart reflect the changes made to DMMC 18.55.140 Accessory living quarters, ensuring cohesiveness throughout the DMMC chapters. Attachment 1 redlines proposes amendments to DMMC 18.55.140 and 18.52.010A.

General Questions:

1. Do the draft ADU regulations accurately capture the Council's goals and expectations?
2. Does the Council have any recommended changes for the draft ADU regulations?

Next Steps:

The next steps in the ADU regulation update process includes addressing any outstanding Council questions/additions, SEPA Review, finalizing Des Moines' ADU regulations, and Council adoption by June 30, 2025.

Proposed ADU Regulations (for minimum compliance with HB 1337):

18.55.140 ~~Accessory living quarters (ALQ),~~ Accessory dwelling units (ADU).

Definition. An Accessory dwelling Unit (ADU) is a dwelling unit located on the same lot as a single-family housing unit, duplex, triplex, townhome, or other middle housing unit. An ADU can be a detached structure or an attached part of a structure that is subordinate and incidental to the main or primary dwelling unit. ADUs provide complete independent living facilities exclusive for one single housekeeping unit, including provisions for living, sleeping, cooking, and sanitation.

General. Accessory dwelling units must meet all of the standards of the underlying zone in which the property is located. Additionally, accessory dwelling units shall be included in the calculation for allowable units per lot. Example: If 4 units is the maximum total number of units allowed on a given lot and a triplex has been developed, one (1) ADU may be added to the lot. Except where the underlying unit density is one or two; a lot may still develop with one Single Family Home and two ADUs.

(1) Impact fees. All ADUs are subject to adopted impact fees. Refer to the adopted Development and Engineering Services Fee Schedule.

(2) Number and configuration. A single-family residential unit or middle housing unit may have up to two ADUs in the following configurations: two attached ADUs, two detached ADUs, or one attached and one detached ADU.

- ~~1.— Only one ALQ is allowed per residential lot.~~
- ~~2.— The fee owner(s) of the property must physically reside in either the primary single family dwelling or the accessory unit. At no time shall the ALQ and the primary single family dwelling be rented simultaneously.~~

(3) Design Standards. The ADU shall be consistent and complimentary with the architectural style, materials, and color(s) of the primary residence.

- ~~3.— The ALQ shall be designed so that the appearance preserves or complements the architectural design and style of the primary single family residence.~~
- ~~4.— ALQs shall be accessed either through the entrance of the primary dwelling unit or an additional side or rear entrance.~~

(4) Size. The ADU must not be less than 350 square feet of gross floor area and shall not exceed 1,000 square feet of gross floor area.

- ~~5.— The ALQ must not be less than 350 square feet of living space. Accessory living quarters shall not exceed 800 square feet if they are: (a) detached from the primary single family dwelling; (b) created through an addition; or (c) designed into a new structure at the time of construction. For ALQs created within an existing single family residence, the square footage limitation on an ALQ shall be no more than 35 percent of the total square footage of the primary dwelling.~~

(5) Location. An ADU may be sited at a lot line if the lot line abuts a public alley, unless the city routinely plows snow on the public alley, but all other setbacks of the underlying zone apply.

(6) **Conversions.** An ADU may be converted from legal nonconforming* structures, including but not limited to detached garages, even if they violate current code requirements for setbacks and lot coverage for the underlying zone.

(7) **Separate sale.** An ADU may be sold or otherwise conveyed separately as a condominium unit independently from the primary unit.

(8) **Parking.** One off-street parking stall is required per ADU in addition to the off-street parking stalls required for the primary unit. Off-street parking is not required for ADUs located within one-half mile walking distance of a major transit stop.

(9) **Required permits.** A property owner shall apply for both a land use permit and a building permit for necessary remodeling or construction. If the ADU is to be a rental, the property owner shall also apply for and obtain a City of Des Moines business license prior to renting out the unit.

~~6.—To gain approval for an ALQ, a property owner shall file a completed ALQ development permit application, sign an affidavit of owner occupancy, provide an additional form of documentation such as a driver's license or voter registration record, and apply for a building permit for necessary remodeling or construction. Falsely certifying owner occupancy or failure to comply with the terms of the ALQ land use application approval shall result in the loss of ALQ registration and certificate of occupancy.~~

~~7.—The owner occupancy affidavit shall be recorded and filed as a deed restriction with the King County Recorder before a certificate of occupancy shall be issued by the Des Moines Building Official. [Ord. 1591 § 147, 2014.]~~

[*Legal Nonconforming prior to enacting this Ordinance](#)

Residential Primary Uses Table Update:

18.52.010A RESIDENTIAL ZONE PRIMARY USES

Use is:	SFR	RA-3,600	RM-2,400	RM-1,800	RM-900	RM-900A	RM-900B	R-SE	R-SR > 35,000	R-SR < 35,000	PR-R
P: Permitted											
P/L: Permitted, but with special limitations											
CUP: Conditional use review required											
UUP: Unclassified use review required											
Accessory buildings and uses	P/L _[1]	P/L _[1]	P/L _[1]	P/L _{[1][16]}	P/L _{[1][16]}	P	P	P/L _{[1][27]}	P/L _{[1][27]}	P/L _[1]	P
<u>Accessory dwelling units</u>	<u>P/L_[52]</u>	<u>P/L_[52]</u>	<u>P/L_[52]</u>	<u>P/L_[52]</u>	<u>P/L_[52]</u>	<u>P/L_[52]</u>		<u>P/L_[52]</u>	<u>P/L_[52]</u>	<u>P/L_[52]</u>	

1. Accessory Buildings and Uses. This regulation applies to all parts of Table 18.52.010A that have a [1].

Accessory buildings and uses including, but not limited to, the following:

- ~~(a)~~ Accessory dwelling units (ADUs);
- ~~(ab)~~ Private garages designed to accommodate not more than four cars;
- ~~(be)~~ Lodgers limited to two;
- ~~(cd)~~ Private docks and mooring facilities and a private boathouse or hangar for the sole use of occupants of the premises to accommodate private noncommercial pleasure craft. Boathouses, hangars, docks and moorings shall be accessory to the primary use on the property to which they are contiguous, provided:
 - (i) No part of the boathouse or hangar shall extend more than 16 feet above the mean high water level;
 - (ii) A structure shall not be located closer to a property side line, or property side line extended, than the width of the required side yard on the lot to which such facilities are accessory;
 - (iii) The total area of covered moorages, boathouses, or hangars shall not exceed 1,000 square feet;

(iv) Covered structures shall abut upon the natural shoreline;

(v) Such structure shall not have a width greater than 50 percent of the width of the lot at the natural shoreline upon which it is located; and

(vi) A boat using such moorage shall not be used as a place of residence when so moored.

(de) Foster family day care home;

(ef) Greenhouses, private and noncommercial, for propagation and culture only and no sales from the premises are permitted;

(fg) One antenna system that exceeds the maximum building height specified for the Residential Zone and which:

(i) Does not exceed 15 feet in height above the building height limitation specified for the zone;

(ii) Is set back the greater of the applicable building setback for the zone where located, or the vertical height of the antenna system measured from the center point of the base of the mast horizontally to the nearest property line;

(iii) Has a maximum horizontal cross-sectional area for that part of the mast that is above the building height limitation for the zone such that an imaginary four-inch diameter circle would encompass all points of the horizontal cross-section;

(iv) Has a maximum allowable three-dimensional space intrusion of 1,200 cubic feet for single ground plane antennas with a single driven element, and 200 cubic feet for beams, quads, and other multi-element antennas; except these limitations on three-dimensional space intrusion are not applicable to single long-wire antennas, single whip antennas, and single coaxial antennas. In this subsection, "three-dimensional space intrusion" means the space within an imaginary rectangular prism that contains all extremities of an antenna;

(v) Does not encroach into the front, side, or rear setbacks required for the zone. A guy wire and anchor point for an antenna system is prohibited in the required front yard or within three feet of the side or rear property lines; except if an alley abuts a rear property line, a guy wire and anchor point may extend to the rear property line; and

(vi) A variation from the above limitations not to exceed 10 percent may be granted by the Department of Planning, Building and Public Works; such variation shall be granted when it will not significantly increase the hazard factor, the aesthetic impact, or the economic consequences of such antenna systems.

(gh) Swimming pools and other recreational facilities for the sole use of occupants of premises and their guests.

52. Accessory Dwelling Units. This regulation applies to all parts of Table 18.52.010A that have a [52].

[Additional requirements for Accessory Dwelling Units per DMMC 18.55.140](#)

Proposed ADU Code (for minimum compliance with HB 1337):

18.55.140 Accessory dwelling units (ADU).

Definition. An Accessory dwelling Unit (ADU) is a dwelling unit located on the same lot as a single-family housing unit, duplex, triplex, townhome, or other middle housing unit. An ADU can be a detached structure or an attached part of a structure that is subordinate and incidental to the main or primary dwelling unit. ADUs provide complete independent living facilities exclusive for one single housekeeping unit, including provisions for living, sleeping, cooking, and sanitation.

General. Accessory dwelling units must meet all of the standards of the underlying zone in which the property is located. Additionally, accessory dwelling units shall be included in the calculation for allowable units per lot. Example: If 4 units is the maximum total number of units allowed on a given lot and a triplex has been developed, one (1) ADU may be added to the lot. Except where the underlying unit density is one or two; a lot may still develop with one Single Family Home and two ADUs.

(1) **Impact fees.** All ADUs are subject to adopted impact fees. Refer to the adopted Development and Engineering Services Fee Schedule.

(2) **Number and configuration.** A single-family residential unit or middle housing unit may have up to two ADUs in the following configurations: two attached ADUs, two detached ADUs, or one attached and one detached ADU.

(3) **Design Standards.** The ADU shall be consistent and complimentary with the architectural style, materials, and color(s) of the primary residence.

(4) **Size.** The ADU must not be less than 350 square feet of gross floor area and shall not exceed 1,000 square feet of gross floor area.

(5) **Location.** An ADU may be sited at a lot line if the lot line abuts a public alley, unless the city routinely plows snow on the public alley, but all other setbacks of the underlying zone apply.

(6) **Conversions.** An ADU may be converted from legal nonconforming* structures, including but not limited to detached garages, even if they violate current code requirements for setbacks and lot coverage for the underlying zone.

(7) **Separate sale.** An ADU may be sold or otherwise conveyed separately as a condominium unit independently from the primary unit.

(8) **Parking.** One off-street parking stall is required per ADU in addition to the off-street parking stalls required for the primary unit. Off-street parking is not required for ADUs located within one-half mile walking distance of a major transit stop.

(9) **Required permits.** A property owner shall apply for both a land use permit and a building permit for necessary remodeling or construction. If the ADU is to be a rental, the property owner shall also apply for and obtain a City of Des Moines business license prior to renting out the unit.

*Legal Nonconforming prior to enacting this Ordinance

Residential Primary Uses Table Update:

18.52.010A RESIDENTIAL ZONE PRIMARY USES

Use is:	SFR	RA-3,600	RM-2,400	RM-1,800	RM-900	RM-900A	RM-900B	R-SE	R-SR > 35,000	R-SR < 35,000	PR-R
P: Permitted											
P/L: Permitted, but with special limitations											
CUP: Conditional use review required											
UUP: Unclassified use review required											
Accessory buildings and uses	P/L _[1]	P/L _[1]	P/L _[1]	P/L _{[1][16]}	P/L _{[1][16]}	P	P	P/L _{[1][27]}	P/L _{[1][27]}	P/L _[1]	P
Accessory dwelling units	P/L _[52]	P/L _[52]	P/L _[52]	P/L _[52]	P/L _[52]	P/L _[52]		P/L _[52]	P/L _[52]	P/L _[52]	

1. Accessory Buildings and Uses. This regulation applies to all parts of Table 18.52.010A that have a [1].

Accessory buildings and uses including, but not limited to, the following:

- (a) Private garages designed to accommodate not more than four cars;
- (b) Lodgers limited to two;
- (c) Private docks and mooring facilities and a private boathouse or hangar for the sole use of occupants of the premises to accommodate private noncommercial pleasure craft. Boathouses, hangars, docks and moorings shall be accessory to the primary use on the property to which they are contiguous, provided:
 - (i) No part of the boathouse or hangar shall extend more than 16 feet above the mean high water level;
 - (ii) A structure shall not be located closer to a property side line, or property side line extended, than the width of the required side yard on the lot to which such facilities are accessory;
 - (iii) The total area of covered moorages, boathouses, or hangars shall not exceed 1,000 square feet;
 - (iv) Covered structures shall abut upon the natural shoreline;

(v) Such structure shall not have a width greater than 50 percent of the width of the lot at the natural shoreline upon which it is located; and

(vi) A boat using such moorage shall not be used as a place of residence when so moored.

(d) Foster family day care home;

(e) Greenhouses, private and noncommercial, for propagation and culture only and no sales from the premises are permitted;

(f) One antenna system that exceeds the maximum building height specified for the Residential Zone and which:

(i) Does not exceed 15 feet in height above the building height limitation specified for the zone;

(ii) Is set back the greater of the applicable building setback for the zone where located, or the vertical height of the antenna system measured from the center point of the base of the mast horizontally to the nearest property line;

(iii) Has a maximum horizontal cross-sectional area for that part of the mast that is above the building height limitation for the zone such that an imaginary four-inch diameter circle would encompass all points of the horizontal cross-section;

(iv) Has a maximum allowable three-dimensional space intrusion of 1,200 cubic feet for single ground plane antennas with a single driven element, and 200 cubic feet for beams, quads, and other multi-element antennas; except these limitations on three-dimensional space intrusion are not applicable to single long-wire antennas, single whip antennas, and single coaxial antennas. In this subsection, "three-dimensional space intrusion" means the space within an imaginary rectangular prism that contains all extremities of an antenna;

(v) Does not encroach into the front, side, or rear setbacks required for the zone. A guy wire and anchor point for an antenna system is prohibited in the required front yard or within three feet of the side or rear property lines; except if an alley abuts a rear property line, a guy wire and anchor point may extend to the rear property line; and

(vi) A variation from the above limitations not to exceed 10 percent may be granted by the Department of Planning, Building and Public Works; such variation shall be granted when it will not significantly increase the hazard factor, the aesthetic impact, or the economic consequences of such antenna systems.

(g) Swimming pools and other recreational facilities for the sole use of occupants of premises and their guests.

52. Accessory Dwelling Units. This regulation applies to all parts of Table 18.52.010A that have a [52].

Additional requirements for Accessory Dwelling Units per DMMC 18.55.140

BRIEFING TO CITY COUNCIL STUDY SESSION APRIL 3, 2025

REBECCA DEMING, COMMUNITY DEVELOPMENT DIRECTOR
ALICIA JACOBS, LAND USE PLANNER

CITY OF DES MOINES



ACCESSORY DWELLING UNIT REGULATIONS UPDATE

WHAT IS HOUSE BILL (HB) 1337?

- **New State Legislation – HB 1337 (2023)**
- **Purpose:** To ease barriers to the construction and use of accessory dwelling units.
- **Requirements:**
 - Impact fees ≤ 50% principal unit;
 - No owner occupancy;
 - Up to two ADUs in any configuration;
 - Minimum 1,000 sq. ft. of gross floor area;
 - Design standards same as principal unit;
 - Sale as a condominium unit allowed;
 - No off-street parking within ½ mile walking distance of major transit stop.

PROPOSED AMENDMENTS

	Existing	Proposed
Impact fees	Greater than 50% imposed on principal unit	No greater than 50% imposed on principal unit
Owner occupancy	Required	Not required
Number & configuration	1 ADU; any configuration	Up to 2 ADUs; any configuration
Size	350-800 sq. ft max; no larger than 35% of principal unit	350-1,000 sq. ft max
Location	Standards per underlying zone	Standards per underlying zone; alley exemption
Conversions	Permitted; standards per underlying zone apply	Permitted
Separate sale	Not permitted	Permitted
Parking	1 stall per ADU	1 stall per ADU; not required within 1/2 mile of major transit stop

*Red denotes HB 1337 requirement

QUESTIONS & NEXT STEPS

- **General Questions for Council:**

- Do the draft ADU regulations accurately capture Council's goals and expectations?
- Does the Council have any recommended changes for the draft ADU regulations?

- **Next Steps:**

- Address any outstanding Council questions/additions
- SEPA Review
- Finalize ADU regulations
- Council adoption by June 30, 2025

AGENDA ITEM

BUSINESS OF THE CITY COUNCIL
City of Des Moines, WA

SUBJECT: City Logo Discussion

FOR AGENDA OF: April 3, 2025

ATTACHMENTS:

- 1. Logo Concepts
- 2. Logo Color Scheme

DEPT. OF ORIGIN: Administration

DATE SUBMITTED: March 25, 2025

CLEARANCES:

- City Clerk _____
- Community Development _____
- Courts _____
- Finance _____
- Human Resources _____
- Legal /s/TG
- Marina _____
- Police _____
- Parks, Recreation & Senior Services _____
- Public Works _____

APPROVED BY CITY MANAGER

FOR SUBMITTAL: *Katherine Coffey*

Purpose and Recommendation

The purpose of this agenda item is for Council to discuss the new logo designs focusing on branding identity, visual appeal and alignment with organizations values.

Suggested Motion

Motion: No suggested motion.

Background

The City Council adopted Resolution 164, establishing the Municipal Seal, in April 1972. On November 10, 1988, the City Council introduced a new section under Chapter 9.06 of the Des Moines Municipal Code, which regulates the use of the official city flag, municipal seal, and centennial logo.

Since then, several variations of the adopted logos have been created for various departments and purposes, which were presented to Council at the January 9, 2025 Council meeting.

Council directed staff to work with a local branding agency and come back with some new concepts for their review.

Discussion

Council to discuss.

Alternatives

Council may keep the current logo, or use one of the other logos that have been created by our contracted branding agency.

Financial Impact

To date the City has paid \$2,750 for logo redesign.

Recommendation

Staff does not have any recommendations.

Concept #1



Concept #2



Concept #3



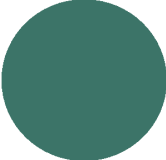
Concept #4



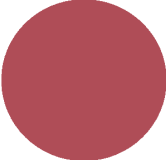
CDM; COLOR PALETTE OPTIONS



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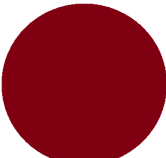
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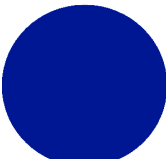
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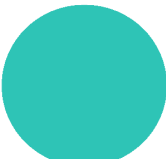
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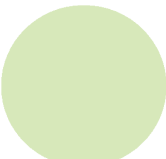
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AGENDA ITEM

BUSINESS OF THE CITY COUNCIL
City of Des Moines, WA

SUBJECT: City Council Protocol Manual Review

FOR AGENDA OF: April 3, 2025

ATTACHMENTS:

- 1. City of Des Moines City Council Protocol Manual

DEPT. OF ORIGIN: Administration

DATE SUBMITTED: March 24, 2025

CLEARANCES:

- City Clerk *JK*
- Community Development
- Courts
- Finance
- Human Resources _____
- Legal /s/TG
- Marina
- Police
- Parks, Recreation & Senior Services
- Public Works

APPROVED BY CITY MANAGER

FOR SUBMITTAL: *Katherine Coffey*

Purpose and Recommendation

The purpose of this agenda item is for the City Council to review the *City of Des Moines City Council Protocol Manual* and discuss potential amendments or revisions. Following direction from the Council, staff will prepare an updated Protocol Manual for Council consideration at a future meeting.

Suggested Motion

Motion:

Background

At the June 23, 2022 City Council meeting, three Councilmembers supported a request to place an update of the City Council Rules of Procedure on a future agenda.

In July of 2022, an Ad Hoc Rules Committee was created by the Council for the purpose of reviewing the City Council's Rules of Procedure and proposing edits. The Committee, consisting of three Councilmembers, met several times and created a first draft document entitled "City Council Protocol Manual." This draft was forwarded to City staff in October of 2022 to begin a staff review.

Over the next several months, City staff conducted an in-depth review of the newly drafted City Council Protocol Manual to include analysis of how the new protocols aligned with existing City Codes and policies, reviews of similarly situated agency rules, legal analysis and a practical implementation review of the potential impacts. As a result of this process, staff brought forward an amended version of the Protocol Manual with updates intended to clarify the rules, eliminate repetition, ensure conformity with existing Codes and RCW's, and to ensure the intent of the Council was met.

The Ad Hoc Rules Committee met publicly several more times in 2023 to create an updated draft. That draft was then sent to Ann Macfarlane of Jurassic Parliament for her review and comments. She provided her edits to the Committee and the Committee held a final meeting in May of 2023 to create a draft ready for the full Council to review.

A first reading with the full Council was held on June 1, 2023. Several amendments were made by the Council and incorporated into the Draft for a second reading. A second reading was held on June 8, 2023 with additional amendments made and incorporated into the draft. A third and final reading was held on June 23, 2023 and the Council formally adopted the *City of Des Moines City Council Protocol Manual*.

Discussion

Pursuant to Section 9.01 of the Protocol Manual, "the City Council will review and revise the City Council Protocol Manual every two years, or as needed." Given that the final adoption of the Manual occurred in June of 2023, we are approaching the two year timeline for Council review and revisions.

At the April 3, 2025 study session, Councilmembers should come prepared with items or language from the existing Protocol Manual that they would like to discuss revising. During the Study Session, the Council will review the list, and a majority of the Council will decide which items will proceed for further review or amendments.

Alternatives

Staff will prepare amendments to the Manual that are agreed upon by a majority of the Council for future Council consideration and inclusion in the Manual. If no amendments or revisions have Council support, the Manual can remain as currently written.

Financial Impact

None.

**CITY OF
DES MOINES
CITY COUNCIL PROTOCOL MANUAL**

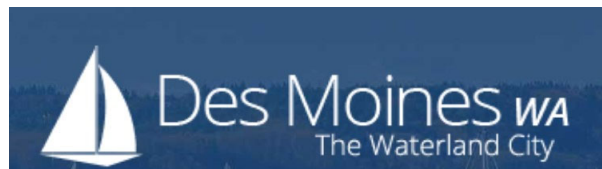


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Foreword

In the course of serving as a public official, there are a myriad of issues with which you will become involved. This protocol manual attempts to centralize information on common issues related to local government and your role as a member of the Des Moines City Council.

The issues that are addressed in this publication are often complex and subjective. This manual is intended to be a guide and is not a substitute for the counsel, guidance, or opinion of the City Attorney in accordance with the Revised Code of Washington (RCW).

The protocols included in this reference document have been formally adopted by the City Council. Provisions contained herein will be reviewed as needed.

CHAPTER 1 INTRODUCTION AND OVERVIEW

As a City Councilmember, you not only establish important and often critical policies for the community, you are also a Board Member of a public corporation having an annual budget that may exceed one hundred million dollars.

1.01 Council-Manager Form of Government

The City of Des Moines is a Council-Manager form of government. As described in the Municipal Code and Revised Code of Washington, certain responsibilities are vested in the City Council and the City Manager. This form of government establishes that a City Council's role, in this specific form of government is that of a legislative policy-making body which determines not only the local laws that regulate community life, but also determines what public policy is, and gives direction to the City Manager to administer the affairs of the City government.

1.02 Purpose of City Council Protocol Manual

The City of Des Moines has prepared its own protocol manual to assist the City Council by documenting accepted practices and clarifying expectations. This Manual has been formally adopted by the City Council and is binding on all Councilmembers.

1.03 Association of Washington Cities and Municipal Research & Services Center of Washington

[The Code City Handbook, Report No. 37](#), published by the Municipal Research & Services Center (MRSC), provides a wealth of general information on the major functions of a Councilmember's job as a locally elected official. Another publication from MRSC that goes hand in hand with the handbook is, [Knowing the Territory](#). This report discusses basic powers; basic duties, liabilities, and immunities of officers; conflict of interest and appearance of fairness; prohibited uses of public funds, property, or credit; competitive bidding requirements; the Open Public Meetings Act; Open Government-Public Records-Freedom of Information; and immunities from tort liability. These two documents have been included as resources in creating this protocol manual.

1.04 Overview of Basic City Documents

This protocol manual provides a summary of important aspects of City Council activities. However, it cannot incorporate all material and information necessary for undertaking the business of the City Council. Many other laws, plans, and documents exist which bind the City Council to certain courses of action and practices. The following is a summary of some of the most notable documents that establish City Council direction.

A. [Revised Code of Washington](#)

The state laws contain many requirements for the operation of city government and administration of meetings of city councils throughout the state. Des Moines is an "optional code city," which means it operates under the general laws of the state. As an optional code city of the State of Washington, Des Moines is vested with all the powers of incorporated cities as set forth in the Revised Code of Washington (RCW), Constitution of the State of Washington, and Des Moines Municipal Code.

B. [Des Moines Municipal Code](#)

The municipal code contains local laws and regulations adopted by ordinances. Titles 2 and 4 of the code address the role of the City Council, describes the organization of City Council meetings and responsibilities and appointment of certain City staff positions and advisory boards and commissions. In addition to these administrative matters, the municipal code contains a variety of laws including, but not limited to, zoning standards, health and safety issues, traffic regulations, building standards, and revenue and finance issues.

C. [Vision/Mission Statement](#)

[Vision, Mission & Business Plan - City of Des Moines, WA \(desmoineswa.gov\)](#)

D. [City Budget](#)

The budget is the primary tool and road map for accomplishing the goals of the City. The budget document is the result of one of the most important processes the City undertakes. By adopting the annual budget, the City Council makes policy decisions, sets priorities, allocates resources, and provides the framework for government operations.

Please note: The City Manager is required, by state statute, to present a recommended budget to the City Council in October of the preceding year of the budget. The City Council must hold at least two public hearings on the budget before they can approve the budget with any adopted changes.

E. [Annual Comprehensive Financial Report \(ACFR\)](#)

The annual financial report includes the financial statements of the City for a calendar year. It includes the financial condition of the City as reflected in the balance sheet, the results of operations as reflected in income statements, an analysis of the uses of City funds, and related footnotes. The annual financial report includes statements for the various groups of funds and a consolidated group of statements for the City as a whole.

F. [Comprehensive Plan](#)

A state-mandated comprehensive plan addresses the City's long-range planning needs relative to land use, transportation, economic development, and other planning elements such as employment and residential growth targets. The City's comprehensive plan, *Imagine Des Moines...* is reviewed on an ongoing basis, but may only be revised once a year, except as provided by State law.

G. [Six-year Capital Improvement Program](#)

The Six year Capital Improvement Program serves as a guide for determining priorities, planning, financing, and constructing capital projects which add to, support, or improve the physical infrastructure, capital assets, or productive capacity of city services.

1.05 Orientation of New Members

It is important for the members of the City Council to gain an understanding of the full range of services and programs provided by the City. As new members join the City Council, the City Manager and City Clerk provide an orientation session for new members to meet with key staff within the first quarter of taking office.

Another training opportunity for new members is the Association of Washington Cities-sponsored newly elected officials' orientation. At any time, if there are facilities or programs about which you would like more information, arrangements will be made to increase your awareness of these operations.

1.06 Medical and Religious Exemptions

The City complies with all requirements of the Americans with Disabilities Act (ADA). Accordingly, exceptions to these Protocols may be granted in accordance with the ADA. A Councilmember who believes he or she needs a reasonable accommodation in order to perform the essential functions of his or her (role as a Councilmember) must submit a request for a reasonable accommodation to the City's Human Resources Department. This request will be processed in accordance with the City Personnel Manual.

A Councilmember, who holds a "sincerely held religious belief, practice or observance" that conflicts with the Protocol requirements, may request a reasonable accommodation. Upon notice of the request, the City will process in the same manner as a reasonable accommodation request as defined by the ADA.

CHAPTER 2 DES MOINES CITY COUNCIL: GENERAL POWERS AND RESPONSIBILITIES

2.01 City Council Generally

Fundamentally, the powers of the City Council are to be utilized for the good of the community and its residents; to provide for the health, safety and general welfare of the citizenry. The City Council is the policy-making and law-making body of the City. State law and local ordinances grant the powers and responsibilities of the Council.

In carrying out their public role and in representing the positions of the Council body, Councilmembers should respect adopted Council policy. In turn, it is staff's responsibility to ensure that the policy of the Council is appropriately executed.

- A. Council Non-Participation in Administration
[RCW 35A.13.120](#) specifically prohibits interference by Councilmembers in the City's administrative service, including the hiring, firing, and work of city staff, with the exception of the City Manager.
- B. Code of Conduct/Ethics Code DMMC 2.44
[Chapter 2.44 CODE OF ETHICS \(codepublishing.com\)](#)

2.02 Role of Councilmembers

Members of the Des Moines City Council are collectively responsible for establishing policy, adopting an annual budget, and providing vision and goals to the City Manager. The following outline is a brief description of the various duties of Councilmembers. The description is not intended to be comprehensive, but rather is an effort to summarize the primary responsibilities of the Council.

Summary of Council Duties and Responsibilities as provided in, but not limited to, the Washington Administrative Code and Revised Code of Washington:

- A. Establish Policy:
 - 1. Adopt goals and objectives
 - 2. Establish priorities for public services
 - 3. Approve/amend the operating and capital budgets
 - 4. Approve contracts over \$50k
 - 5. Adopt resolutions
- B. Adopt City Ordinances
- C. Appoint City Manager:
 - 1. Evaluate performance of City Manager
- D. Boards and Commissions:
 - 1. Establish advisory boards and commissions
 - 2. Approve appointments to advisory bodies
 - 3. Provide direction to advisory bodies
- E. Provide Public Leadership:
 - 1. Communicate the City's vision and goals to constituents
 - 2. Represent the City's interest at regional, county, state, and federal levels through participation in regional boards and commissions, as appointed by Mayor or Council.
 - 3. Call special elections as necessary
 - 4. Constituent communication to City Manager

- F. Decision-Making:
 - 1. Participate in assigned committees
 - 2. Study problems
 - 3. Review alternatives
 - 4. Determine best course of public policy

2.03 Role of Mayor

- A. Presiding Officer:

The Mayor serves as the presiding officer and acts as chair at all meetings of the City Council. The Mayor may participate in all deliberations of the Council in the same manner as any other members and is expected to vote in all proceedings, unless a conflict of interest exists. The Mayor does not possess any power of veto.
- B. Ceremonial Representative:

Responsibility to act as the City Council's ceremonial representative at public events and functions has been assigned to the Mayor. The Mayor shall have no regular administrative or executive duties.
- C. Proclamations:

The Mayor is vested with the authority to initiate and read and sign Council approved proclamations.
- D. See also Section 5.04:

[Chapter 5.04 GENERAL PROVISIONS](#)

2.04 Role of Deputy Mayor

In case of the Mayor's absence or temporary disability, the Deputy Mayor shall act as Mayor during the continuance of the absence. When the Deputy Mayor acts as Mayor by participating in preparation of a council meeting agenda or study session worksheet, or by presiding at a meeting of the Council, the Deputy Mayor shall have authority only to approve the Council meeting agenda or study session worksheet as to form, without introducing or deleting items of business, and to preside at the meeting by following the approved agenda or study session worksheet as written.

2.05 Acting Mayor

When both the Mayor and Deputy Mayor are absent, the Council may choose from among its members a person to serve with the powers of the Deputy Mayor.

2.06 Election of Officers

Procedures for electing officers are as follows:

- A. Biennial Election of Mayor and Deputy Mayor

Biennially, at the first meeting of the new Council, Councilmembers will choose a presiding officer from their number who will have the title of Mayor. In addition to the powers conferred upon them as Mayor, they will continue to have all the rights, privileges and immunities of a member of the Council. If a permanent vacancy occurs in the Office of Mayor, the members of the Council at their next regular meeting will select a Mayor from their number for the unexpired term. Following the election of the Mayor, if the Deputy Mayor is selected as the new Mayor, there will be an election for Deputy Mayor. The term of the Deputy Mayor will run concurrently with that of the Mayor.

 - 1. Nominations

The election for Mayor shall be conducted by the City Clerk. The City Clerk shall call for nominations. Each member of the City Council shall be permitted to nominate one (1) person who has previously served on the Council for a minimum of two years, and nominations shall not require a second. A nominee who wishes to decline the nomination shall so state at this time. Nominations

are then closed. The election for Deputy Mayor shall be conducted by the newly-elected Mayor, and nominations shall be made in the manner previously described for the election of the Mayor. Candidates for Deputy Mayor shall have previously served on the Council for a minimum of one year. The minimum experience condition for candidacy for Mayor or Deputy Mayor may be waived by a vote of five Councilmembers.

B. Casting Ballots

Except when there is only one nominee, election will be by audible vote; each Councilmember declaring a vote into the record. The City Clerk will publicly announce and record the results of the election in the official minutes, stating the name of each voting Councilmember and the manner in which the Councilmember voted. Once a nominee receives a majority vote of the members present, the nominee is declared elected to the position.

C. Unable to Agree

In the event that the Council is unable to agree on a Mayor by majority vote of the members present, the Office of Mayor shall be temporarily filled by an Acting Mayor. The Acting Mayor shall be the Councilmember who just previously served as Mayor; or if such person is not a member of the Council, the Councilmember who just previously served as Deputy Mayor; or if such person is not a member of the Council, the Councilmember with the highest seniority as determined by the City Attorney.

In the event that the Council is unable to agree on a Deputy Mayor, the appointment of Deputy Mayor shall be filled in the same manner as described above.

The Acting Mayor and Acting Deputy Mayor shall continue in office and exercise such authority as is described in Chapter [35A.13 RCW](#) until the members of the Council agree on a Mayor, at which time the Office of Acting Mayor and Acting Deputy Mayor shall cease and terminate.

D. Resignation of Mayor or Deputy Mayor

If the Mayor or Deputy Mayor resign, the City Council will appoint a new Mayor or Deputy Mayor using the procedure outlined above, as soon as practical.

2.07 Appointment of City Manager

The City Council is responsible for appointing one position within the City organization, the City Manager. The City Manager serves at the pleasure of the Council.

2.08 Council Board and Committee Service

A. Committees of the Council:

Committees of the Council are comprised of a collaboration of Councilmembers and Staff, and are designed to review, discuss, and vet potential plans and decisions that may come before the Council body. These committees may make recommendations on proposed ordinances, resolutions, or motions within their area of expertise.

The procedures governing all committees of the Council shall be as follows:

1. The following standing committees shall consist of three members of the Council appointed by the Mayor in January following an election, or at such time as new standing committees are authorized; Environment, Municipal Facilities, Public Safety and Emergency Management, Transportation, and Economic Development.
2. In addition to standing advisory committees, special purpose or Ad Hoc committees and task forces may be appointed by the Mayor to address issues of interest or to conduct background work on technical or politically sensitive issues. Special or ad-hoc committees will be dissolved upon completion of the intended task.
3. Minutes shall be kept of each City Council standing and special committee meeting, listing discussion topics, a summary of key points made, without attribution to individuals and any final

recommendations.

4. Standing committees of the Council are open public meetings, shall be noticed to the public, and be recorded and available to the public for viewing.
5. During the appropriate portion of the regular City Council meeting, the Committee Chair shall report back to the Council regarding items of discussion, progress, or plans.
6. Councilmembers may be appointed or removed by the Mayor.

Councilmembers shall not serve on appointed City Advisory Bodies concurrent with their term of office as Councilmember.

However, at the discretion of the Mayor, Councilmembers may be appointed as liaison to one or more Council-established Citizen Advisory Bodies or other Community agencies/organizations. In their capacity as a Council liaison, a Councilmember shall:

1. Attend meetings on time and conduct themselves with respect, honoring the chair and members of the appointed or community body.
2. Participate only as requested by the Chair in answering questions or representing the will or opinion of the Council as a whole, and shall not interact as a member of the body by engaging with questions, discussion, or voting.
3. Report back to Staff and/or Council as appropriate with updates, progress and/or questions posed by community members. This should be done in a timely manner and may be done from the dais during Board and Committee Reports as appropriate.

B. Regional Boards and Committees:

Members of the City Council are often requested to serve on outside boards, councils, commissions, or committees. This type of representation serves to facilitate communication and provide interaction with other governmental bodies.

1. Membership appointment to these groups shall be made, or authorized by the Mayor for a 2-year period. If more than one Councilmember desires to serve as a member of a particular outside group, the member will be appointed by the Mayor.
2. Where applicable, the Mayor will appoint an alternate to attend outside boards, councils, commissions, or committees. The main delegate will notify the alternate as soon as possible after they realize they will be unable to attend an upcoming meeting of the outside group.
3. Councilmembers participating in policy discussions at regional meetings will represent the consensus of the Council, except where regional appointment requires regional opinion. Personal positions, when given, will be identified and not represented as the position of the City.
4. Assignment and direction of staff in relation to regional meetings are at the discretion of the City Manager.

2.09 Citizen Advisory Bodies

The Council policy regarding Citizen Advisory Bodies is found in DMMC Title 4:
[Title 4 COUNCILS AND APPOINTIVE COMMITTEES \(codepublishing.com\)](#)

2.10 Incompatibility of Offices

Councilmembers shall not simultaneously hold any other elected position, an incompatible public office or employment within the City government except as permitted under the provisions of [RCW 42.23](#), [35A.12](#) and [35A.13](#).

CHAPTER 3 SUPPORT PROVIDED TO CITY COUNCIL

3.01 Staff

The use of City staff to provide support for a Councilmember is limited to that which is authorized by the City Manager.

Councilmembers are responsible to keep their own calendars and make their own appointments.

3.02 Electronic Devices

A computer and phone will be provided to each Councilmember for the conducting of City business. The IT staff will ensure that all appropriate software is installed and will also provide an orientation in the use of computers and related software. While staff will maintain those computer applications related to City affairs, staff cannot provide assistance for personal computer applications. Personal media and programs cannot be stored on City computers. Councilmembers must adhere to all policies under the City of Des Moines IT Security Policies.

Throughout Councilmember terms, City equipment is subject to audit. Virus protection software must not be disabled at any time on City equipment and non-city programs or media found during audits will be removed. When individual Councilmembers have completed their term of office, IT staff will retrieve City computers, software, and phones.

3.03 Mail and Deliveries

Members of the City Council receive mail and other materials that are delivered through the use of mailboxes located at City Hall. Councilmembers are encouraged to check mailboxes often.

CHAPTER 4 FINANCIAL MATTERS

4.01 Council Compensation

The municipal code provides for payment of a stipend to members of the City Council. A seated City Council may not increase or decrease its own compensation. Councils may only pass an ordinance to adjust the compensation of a future City Council. Currently, Council salaries are set as provided in chapter 4.08 DMMC or [RCW 35.21.015](#).

4.02 Business, Education and Travel

When determined by the City Council to be in the best interests of the City, Councilmembers may attend conferences and workshops, take part in educational or leadership opportunities, and conduct City business which may require travel, tuition, fees, or registration costs. Councilmembers may be reimbursed for these expenses under the following guidelines:

- A. The Administration will keep account of Councilmember expenses.
- B. When the Councilmember makes arrangements or incurs eligible expenses as determined by the Council, the Councilmember shall provide receipts for reimbursement.

4.03 Financial Disclosure

Candidates for the office of Councilmember shall file a financial disclosure statement with the State Public Disclosure Commission in accordance with State law. When appointed to fill a vacancy on the Council, the appointee shall file a financial disclosure statement with the Commission, covering the preceding 12-month period, at least two weeks prior to appointment. Councilmembers are required to file a financial disclosure

statement with the Commission on an annual basis after January 1 and before April 15 of each year covering the previous calendar year. Councilmembers whose terms expire on December 31 shall file the statement for the year that ended on that December 31. Statements filed in any of the above cases will be available for public inspection.

Failure to timely file a financial disclosure statement with the State Public Disclosure Commission in accordance with the requirements of State law, or filing a false or incomplete financial disclosure statement, if done knowingly, is a Class 1 Misdemeanor. There are also civil penalties for violations.

CHAPTER 5 COMMUNICATIONS

5.01 Overview

Perhaps the most fundamental role of a Councilmember is communication. This is essential to engage with the public to assess community opinions and needs, and to share the vision and goals of the City with constituents. In addition, connection with the staff provides policy direction and assists in understanding the implications of various policy alternatives.

Because the City Council performs as a body, based on the will of the majority as opposed to individuals, it is important that general guidelines be understood when speaking for the Council. Equally important, when members are expressing personal views and not those of the Council, the public must be advised.

5.02 Councilmember Contact and Information

A page on the City of Des Moines website will display information about each councilmember for community reference, which will include:

- A. A color photo
- B. A short biography/resume
- C. List of assignments or designations
- D. Phone number and email

5.03 Correspondence from Councilmembers

Councilmembers are committed to open communications in their capacity as elected officials. Individual Councilmembers use a variety of methods to communicate with the public, stakeholders, partners, and the media. Social media platforms offer a way to deliver public information and customer service to constituents and give community members another means to interact with their government.

The purpose of this policy is to establish standards for Council communication with the public, when Councilmembers are acting in their official capacity or commenting on City government matters, either through traditional media outlets or the use of social media platforms or personal accounts or pages.

The Council believes that the following standards will provide consistency in procedures and allow for use of more tools to communicate with the public.

- A. The content and tenor of all public communications shall model the same professional behavior displayed during Council meetings and community meetings, and reflect well on the individual Councilmember, the Council as a whole, and the community.

- B. The following disclaimers shall be included in whole or referenced with a link to the disclaimers for all communications initiated by Councilmembers in open forums:
 - 1. The views expressed represent the views of the author and may not reflect the views of the City of Des Moines or the Des Moines City Council.
 - 2. Responses to this communication by other Councilmembers may be limited by the provisions of the Open Public Meetings Act under which a policy discussion or other action taken must be held in an open public meeting if a quorum of the Council participates.
 - 3. Comments posted in response to a Councilmember-initiated communication may be subject to public disclosure under chapter [42.56 RCW](#), the Public Records Act.
- C. Media outlets such as newspapers, radio and television news coverage may be used as communications medium by individual Councilmembers provided that the communication clearly states that the views expressed do not represent those of the City Council or the City of Des Moines, but the views of the individual Councilmember.
- D. Communications initiated by Councilmembers. Guest editorials, letters to the editor and blog posts published by Councilmembers should be provided to the full Council at the same time they are delivered to the media outlet. Drafts of guest editorials, letters to the editor or blog posts which may be submitted on behalf of the Council as opposed to an individual Councilmember may not be circulated for comment to a quorum of the Council prior to publication as this may violate the Open Public Meetings Act.
- E. Use of Social Media. Posts to social media sites such as, blogs, Facebook, and Twitter may be used by individual Councilmembers to communicate with the public provided the following guidelines are used:
 - 1. Blog posts or other posts to social media sites should include, or reference a link which includes the disclaimers listed in Section 5.03.B.
 - 2. Social media sites are not to be used for the conduct of Council business other than to informally communicate with the public. Public notices, items of legal or fiscal significance that have not been released to the public, and discussion of quasi-judicial matters may not be included in Councilmembers social media posts. Councilmembers are encouraged to maintain social media sites with settings that can restrict users' ability to comment in order to avoid inadvertent discussions of these items. Unsolicited public comments on quasi-judicial matters must be placed on the record by the Councilmember at the time the matter is before the Council for consideration.
 - 3. In order to demonstrate openness and a willingness to listen to the entire community, Councilmember posts on social media sites should be made through a public-facing page or by marking individual posts as available to the public as a whole.
 - 4. When commenting on a post or an article published by someone other than a Councilmember, a link to the standard disclaimers in Section 5.03.B should be included within the thread.
- F. If a Councilmember makes a factual error in a public communication, it should be corrected as soon as the error is discovered. Blog posts may be corrected by amending a previous post with a note that a correction was made.
- G. Councilmembers shall not take actions, in writing, speaking, or otherwise, outside the public meeting(s) that undermine the decisions of the body.

5.04 Council Representation

To promote a favorable image of the City and pursue resources or relationships that will benefit the community, the Mayor, or another Councilmember designated by the Council, may take the lead in representing the City of Des Moines to other partners and representatives including, but not limited to; businesses, other local governments, regional agencies and organizations, and state, federal and international governments.

- A. Councilmembers shall not conduct communication or business in this manner without the authorization of the Administration or the City Council.
- B. Neither the Mayor, nor a Councilmember, can commit the City without authorization of a majority of the City Council.
- C. The Mayor, or another Councilmember designated by the City Council, shall be the spokesperson about actions taken by the Council. On behalf of the City Council, the Mayor or designated Councilmember may inform the public, media, and staff about issues affecting the community.

5.05 State Public Disclosure Act

The City Council is bound by State Public Records Act and City records policies. Please refer to Resolution No. 1185 [142.pdf \(civiclive.com\)](#)

5.06 Open Public Meetings Act

The City Council is bound the State Open Public Meetings Act. More information can be found at [Open Government Training | Washington State](#)

5.07 Communication with the public

- A. If a Councilmember receives communication from a member of the community conveying a concern, complaint, or administrative issue, the Councilmember shall not attempt to address it or resolve it individually but will refer that matter directly to the City Manager for their review and/or action. The individual Councilmember may request to be informed of the action or response made to the complaint.
- B. Written Communications:
Letters, correspondence, and memoranda received by the City, addressed to a Councilmember or the Council as a body, shall be provided to all City Councilmembers.
- C. E-mail:
 - 1. If a community member sends an e-mail to a Councilmember and requests that it be included in the record of a particular public hearing, the Councilmember will forward said e-mail to the City Clerk.
 - 2. If a Councilmember wishes that an e-mail be distributed to a City staff member, the Councilmember will forward said e-mail to the City Manager.
 - 3. E-mail communications that are intended to be shared among four or more Councilmembers, whether concurrently or serially must be considered in light of the Open Public Meetings Act. If the intended purpose of the e-mail is to have a discussion that should be held at an open meeting, the electronic discussion may not occur. Further, the use of e-mail communication to form a collective decision of the Council is illegal.
 - 4. E-mail should be used cautiously when seeking legal advice or if discussing matters of pending litigation or other “confidential” City business. In general, e-mail is discoverable in litigation, even deleted e-mail is not necessarily removed from the system, and councilmembers may not delete official email in violation of the Open Public meetings Act. Confidential e-mail communications should not be shared with individuals other than the intended recipients, or the attorney-client privilege protecting the document from disclosure may be waived:
 - a. E-mail between Councilmembers, and Councilmembers and staff shall not be transmitted to the public or news media unless a public disclosure request has first been filed with the City Clerk.
 - b. City email shall not be used for personal communication.

CHAPTER 6 CONFLICTS OF INTEREST, APPEARANCE OF FAIRNESS DOCTRINE, AND LIABILITY OF ELECTED OFFICIALS

6.01 Conflicts of Interest

In the course of conducting City business, it is essential that Councilmembers understand and are able to identify if and where they may have conflicts of interest. If there is ever a question, Councilmembers should consult with the City Attorney before the meeting at which the issue may be considered.

City Councilmembers are bound by the Conflict of Interest provisions of chapter [2.44 DMMC](#) as well as chapter [42.23 RCW](#).

6.02 Appearance of Fairness Doctrine

Appearance of Fairness Doctrine and its Application.

- A. Appearance of Fairness Doctrine Defined. "When the law which calls for public hearings gives the public not only the right to attend but the right to be heard as well, the hearings must not only be fair but must *appear* to be so. It is a situation where appearances are quite as important as substance. The test of whether the appearance of fairness doctrine has been violated is as follows: Would a disinterested person, having been apprised of the totality of a Boardmember's personal interest in a matter being acted upon, be reasonably justified in thinking that partiality may exist? If answered in the affirmative, such deliberations, and any course of conduct reached thereon, should be voided." [Zehring v. Bellevue, 99 Wn.2d 488 \(1983\)](#).
- B. Types of Hearings to Which Doctrine Applies. The appearance of Fairness Doctrine shall apply only to those actions of the Council, which are quasi-judicial in nature. Quasi-judicial actions are defined as actions of the City Council, which determine the legal rights, duties, or privileges of specific parties in a hearing or other contested proceeding. Quasi-judicial actions do not include the legislative actions adopting, amending, or revising comprehensive, community, or neighborhood plans or other land use planning documents of the adoption of area-wide zoning ordinances or the adoption of a zoning amendment that is of area-wide significance. [RCW 42.36.010](#). Some examples of quasi-judicial actions, which may come before the Council are: rezones or reclassifications of specific parcels of property, appeals from decisions of the Hearing Examiner, substantive appeals of threshold decisions under the State Environmental Protection Act, subdivisions, street vacations, and special land use permits. City staff is advised to notify the City Council upon receipt of an application or decision, which will result in an action before the City Council that is quasi-judicial in nature.
- C. Obligations of Councilmembers, Procedure.
 1. Councilmembers should recognize that the Appearance of Fairness Doctrine does not require establishment of a conflict of interest, but whether there is an appearance of conflict of interest to the average person. This may involve the Councilmember or a Councilmember's business associate or a member of the Councilmember's immediate family. It could involve ex parte communications, ownership of property in the vicinity, business dealings with the proponents or opponents before or after the hearing, business dealings of the Councilmember's employer with the proponents or opponents, announced predisposition, and the like.

Prior to any quasi-judicial hearing, each Councilmember should give consideration to whether a potential violation of the Appearance of Fairness Doctrine exists. If the answer is in the affirmative, no matter how remote, the Councilmember should disclose such facts to the City Manager who will seek the opinion of the City Attorney as to whether a potential violation of the Appearance of Fairness Doctrine exists. The City Manager shall communicate such opinion to the Councilmember and to the Presiding Officer.

2. Anyone seeking to disqualify a Councilmember from participating in a decision on the basis of a violation of the Appearance of Fairness Doctrine must raise the challenge as soon as the basis for

disqualification is made known or reasonably should have been made known prior to the issuance of the decision; upon failure to do so, the Doctrine may not be relied upon to invalidate the decision. The party seeking to disqualify the Councilmember shall state with specificity the basis for disqualification; for example: demonstrated bias or prejudice for or against a party to the proceedings, a monetary interest in outcome of the proceedings, prejudgment of the issue prior to hearing the facts on the record, or ex parte contact. Should such challenge be made prior to the hearing, the City Manager shall direct the City Attorney to interview the Councilmember and render an opinion as to the likelihood that an Appearance of Fairness violation would be sustained in superior court. Should such challenge be made in the course of a quasi-judicial hearing, the Presiding Officer shall call a recess to permit the City Attorney to make such interview and render such opinion.

3. The Presiding Officer shall have sole authority to request a Councilmember to excuse himself/herself on the basis of an Appearance of Fairness violation. Further, if two (2) or more Councilmembers believe that an Appearance of Fairness violation exists, such individuals may move to request a Councilmember to excuse himself/herself on the basis of an Appearance of Fairness violation. In arriving at this decision, the Presiding Officer or other Councilmembers shall give due regard to the opinion of the City Attorney.

4. Notwithstanding the request of the Presiding Officer or other Councilmembers, the Councilmember may participate in any such proceeding.

D. Specific Statutory Provisions.

1. Candidates for the City Council may express their opinions about pending or proposed quasi-judicial actions while campaigning. [RCW 42.36.040](#).
2. A candidate for the City Council who complies with all provisions of applicable public disclosure and ethics laws shall not be limited under the Appearance of Fairness Doctrine from accepting campaign contributions to finance the campaign, including outstanding debts. [RCW 42.36.050](#).
3. During the pendency of any quasi-judicial proceeding, no Councilmember may engage in ex parte (outside the hearing) communications with proponents or opponents about a proposal involved in the pending proceeding, unless the Councilmember: (a) places on the record the substance of such oral or written communications; and (b) provides that a public announcement of the content of the communication and of the parties' right to rebut the substance of the communication shall be made at each hearing where action is taken or considered on the subject. This does not prohibit correspondence between a citizen and his or her elected official if the correspondence is made a part of the record, when it pertains to the subject matter of a quasi-judicial proceeding. [RCW 42.36.060](#).

6.03 Liability

The City must always approach its responsibilities in a manner that reduces appropriate risk to all involved. Nevertheless, with such a wide variety of high profile services (i.e., police, parks, roads, land use), risk cannot be eliminated. To better manage insurance and risk, the City participates in risk- and loss-control activities.

It is important to note that violations of certain laws and regulations by individual members of the City Council may result in the member being personally liable for damages which would not be covered by the City's insurance.

[DMMC 2.24.030](#) identified the exclusions to insurance coverage as follows:

The obligations assumed under this chapter by the city and the city attorney shall not apply to:

- A. Any dishonest, fraudulent, criminal, or malicious act of any official or employee;
- B. Any act of an official or employee, which is not performed on behalf of the city;
- C. Any act which is outside the scope of an official's or employee's service or employment with the city; or

D. Any lawsuit brought by or on behalf of the city.

The determination of whether an official or employee is entitled to a defense by the City under shall be made by the City Attorney. There shall be no appeal from such determination, except to the superior court by means of an action for declaratory judgment.

For more information, see [Chapter 2.24 DMMC](#).

CHAPTER 7 INTERACTION WITH CITY STAFF/OFFICIALS

7.01 Overview

City Council policy is implemented through dedicated and professional staff. Therefore, it is critical that the relationship between Council and staff be well understood by all parties so policies and programs may be implemented successfully. To support effective relationships, it is important that roles are clearly recognized.

The employment relationship between the City Council and City Manager honors the fact that the City Manager is the chief executive of the City. All dealings with the City Manager, whether in public or private, should respect the authority of the City Manager in administrative matters.

7.02 City Manager Performance Evaluation

In accordance with [DMMC 2.04.050](#), all members of the City Council will be required to participate in a review of the City Manager.

Prior to the process, the City Attorney will distribute evaluation forms to all Councilmembers for review, completion, and return within 14 days of receipt. The forms will be collated into one document for review before the evaluation date.

The members of the Council will use the collated document to review the City Manager during Executive Session.

7.03 City Council/City Clerk Relationship

The City Clerk is appointed by the City Manager. The City Clerk shall keep minutes as required by the Revised Code of Washington and Robert's Rules of Order, including a specific action item section, and shall perform such other and further duties in the meeting as may be required by the Council, Presiding Officer, or City Manager. In the absence of the City Clerk, the City Manager shall appoint a replacement to act as Clerk of the Council.

7.04 City Council/City Attorney Relationship

The City Attorney is the legal advisor for the Council, its committees, commissions and boards, the City Manager, and all City officers and employees with respect to any legal question involving an official duty or any legal matter pertaining to the affairs of the City.

It is important to note that the City Attorney does not represent, or advise, individual members of Council, but rather the City Council as a whole.

7.05 Non-Interference

In accordance with [RCW 35A.13.120](#), the City Council is to work through the City Manager when dealing with administrative services of the City. In no manner, either directly or indirectly, shall a Councilmember

become involved in, or attempt to influence or criticize personnel matters or individual staff members, who are under the direction of the City Manager.

Any criticism of staff by Councilmembers shall be directed to the City Manager. It is inappropriate and unethical for Councilmembers to publicly criticize individual staff members.

Individual Councilmembers may not intervene in staff decision-making, the development of staff recommendations, scheduling of work, or executing department priorities. Following this RCW is necessary in order to protect staff from undue influence and pressure from individual Councilmembers, and to allow staff to execute priorities given by management and the Council as a whole without fear of reprisal.

The City Council shall not be involved in, or influence, the purchase of any supplies beyond the requirements of the City procurement code/procedures.

If a Councilmember wishes to influence the actions, decisions, recommendations, or priorities of staff, that member must prevail upon the Council to do so as a matter of Council policy

7.06 Access to Information

The City Manager is the information liaison between Council and City staff. Requests for information from Councilmembers are to be directed to the City Manager. The information requested will be copied to all members of Council so that each member may be equally informed.

There are limited restrictions when information cannot be provided. The City is legally bound to protect certain confidential personnel information. Likewise, certain aspects of police department affairs (i.e., access to restrict or confidential information related to crimes) may not be available to members of the City Council.

No Councilmember shall request or direct the City Manager or Department Directors to initiate any action or prepare any report, or initiate any project or study without the consent of a majority of the Council.

The full City Council retains the authority to accept, reject, or amend the staff recommendation on policy matters.

7.07 Staff Roles

The Council recognizes the primary functions of staff as executing Council policy and actions taken by the Council. Staff is directed to reject any attempts of individual Councilmembers to unduly direct or otherwise pressure them into making, changing, or otherwise influencing recommendations.

7.08 Councilmember Relationship with Staff

Staff support and assistance may be provided to advisory boards, commissions, and task forces. Advisory bodies, however, do not have supervisory authority over City employees. While staff may work closely with advisory bodies, staff members remain responsible to their immediate supervisors and, ultimately, the City Manager.

When Councilmembers are acting as Liaisons they shall not direct staff.

CHAPTER 8 CITY COUNCIL MEETINGS

The City Council's collective policy and law-making powers are put into action exclusively at the council meetings. It is here that the Council conducts its business. The opportunity for community members to be

heard, the availability of local officials to the public, and the openness of council meetings all lend themselves to the essential democratic nature of local government.

8.01 Meeting Schedule

Council business meetings are generally held the first, second, and fourth Thursdays of each month, convening at 6:00 p.m., in the Council Chambers at Des Moines City Hall, 21630 11th Ave S, Suite C, Des Moines WA, 98198. The first Thursday is intended to be reserved as a study session.

If Council Meetings are moved to alternate location or conducted remotely they will be noticed publicly at least 24 hours in advance in accordance with the State law.

8.02 Public Notice of Meetings and Hearings

Pursuant to [RCW 35.22.288](#), cities are charged with establishing a procedure for notifying the public of upcoming hearings and the preliminary agenda for the forthcoming council meeting. The procedure followed by the City of Des Moines is as follows:

A. Open to the Public:

All meetings of the City Council and of committees thereof shall be open to the public, except as provided for in [RCW 42.30.110](#) or [RCW 42.30.140](#).

B. Notices of Public Hearing:

Except where a specific means of notifying the public of a public hearing is otherwise provided by law or ordinance, notice of upcoming public hearings before the City Council shall be given by public notice containing the time, place, date, subject, and body before whom the hearing is to be held, using the City's official notification process at least ten (10) days before the date set for the hearing.

C. Preliminary Agenda of Council Meeting:

The public shall be notified of the preliminary agenda for the forthcoming regular City Council meeting by posting a copy of the agenda in the following public places in the City at least 24 hours in advance of the meeting:

Des Moines City Hall
21630 11th Ave So
Des Moines, WA 98198
Website: The City's Official Website: desmoineswa.gov
Des Moines Libraries
Des Moines Marina
Redondo

8.03 Special Meetings

It is the intent of the Des Moines City Council that the procedures of this Council Rule 8.03 are enforceable to the same extent as [RCW 42.30.080](#), as the City's implementation of the Open Public Meetings Act special meeting requirements set forth at [RCW 42.30.080](#). Procedures for setting a special meeting are as follows:

A. A special meeting may be called by the Mayor or any four members of the Council.

B. Notice of the special meeting shall be prepared in writing. The notice shall contain the following information about the meeting: time, place, duration of meeting, and business to be transacted. The notice shall be reviewed by the City Attorney for proper legal form. After the preliminary agenda has been approved by the Presiding Officer, a copy of the agenda and supporting materials shall be prepared for Councilmembers, the City Manager, and the press by close of business Friday prior to the Special Council Meeting, except in case of an emergency.

- C. The notice shall be posted on the City's website and Councilmembers will be notified via email of the special meeting. The notice must be delivered at least twenty-four (24) hours prior to the meeting.
- D. When email notice is given to Councilmembers, the City Clerk shall provide confirming follow up of such email notice by making a personal telephone call directly to each Councilmember who has not acknowledged receipt of the email. The City Clerk shall document the date and time of such follow up telephone call.
- E. The notices provided in this section may be dispensed within the circumstances provided by [RCW 42.30.080](#).

8.04 Placing Items on the Agenda

The Presiding Officer, three Councilmembers, or the City Manager may introduce a new item to the preliminary agenda.

The Presiding Officer shall have the option of postponing any item on the agenda until the next regular Council meeting, unless it was introduced by three Councilmembers.

The City Clerk, under the direction of the City Manager, shall arrange a list of such matters according to the order of business and prepare a preliminary agenda for the Council.

After the preliminary agenda has been approved by the Presiding Officer, a copy of the agenda and supporting materials shall be prepared for Councilmembers, the City Manager, and the press by close of business Friday prior to the Regular Council Meeting, except in case of an emergency.

Emergency items may be added to an agenda in accordance with state law.

8.05 Recording and Broadcast of Meetings

The City Clerk, or designee, shall make and keep audio recordings, and video when possible, of all standing committee and business meetings of the Des Moines City Council, except those meetings or portions of meetings conducted in Executive Session.

Recordings and related records of all City Council meetings, except as referenced above, shall be retained by the City in accordance with the Washington State Records Retention Schedule.

All public meetings of a quorum of the City Council not exempt from the Open Public Meetings Act held in the Des Moines City Hall at 21630 11th Avenue South should be video recorded and broadcast within the City.

8.06 Order of Business – Regular Meetings

The City Council, by adoption of this manual, establishes the general order of meetings. This section details the order of meeting components and gives direction for their conduct. The Presiding Officer may, during a Council meeting, rearrange items on the agenda to conduct the business before the Council more expeditiously. Any ruling by the Presiding Officer relative to rearrangement of items on the agenda may be overruled by a vote of a majority of members present.

The components of business and their order are as follows:

- A. Call to Order and Pledge of Allegiance
- B. Roll Call
- C. Correspondence not Previously Received by Council
- D. Comments from the Public
- E. Committee Chair Reports
- F. City Manager Report/Presentations/Briefings

- G. Consent Agenda
- H. Ceremonial Matters, Proclamations (reading)
- I. Public Hearings
- J. Unfinished Business
- K. New Business
- L. New Agenda Items for Consideration
- M. Councilmember Reports
- N. Presiding Officer's Report
- O. Executive Session (as required)
- P. Next Meeting Date
- Q. Adjournment
- R. Meeting Materials -

Conduct of Business:

- A. Call to Order/Pledge
- B. Roll Call:
 - 1. (For procedure to excuse an absence see 8.09.E)
- C. Correspondence not previously received by Council.

D. Comments from the Public:

Public Comments are encouraged and appreciated. All Public Comment will be recorded and become part of the Public Record, which is available to the Public on the City website. Public comment is provided as an informational and educational tool for the Council. The information and advice received from citizens helps the City Council make the best possible decisions. Public comment is for the benefit of the Council, and is not provided as an opportunity to speak to, inform, or educate the community.

The following rules have been established in order to ensure that all individuals wishing to address the City Council are fairly heard:

- a. The following language will be added to the published agenda under Public Comment: "During this item, the Presiding Officer will invite public comment. Those testifying or providing public comment will be limited to three minutes. Citizens representing a group will be allowed up to five minutes to speak. No speaker may convey or donate their time for speaking time to another speaker.
- b. Persons wishing to address the Council, who are not specifically scheduled on the agenda shall first fill out a sign-in sheet, stating their name, City of residence, and public comment topic, and the sign-in sheet shall be submitted to the City Clerk prior to the start of Public Comment.
- c. Citizens who have signed in will be invited by the Presiding Officer to the podium. Speakers will first state their name and City of residence and be allowed three minutes to speak.
- d. Except where permission is granted by the Presiding Officer, all remarks shall be made only from the designated podium and addressed to the Council as a body, and not to individual members, the audience, or the cameras.
- e. No person other than the Council and the person having the floor will be permitted to enter into any discussion, either directly or through a member of the Council, without the permission of the Presiding Officer.
- f. The Presiding Officer or designee shall notify the individual when the allotted time has expired and the speaker shall promptly conclude their remarks. All speakers are encouraged to submit supplemental or detailed written remarks for Council consideration.
- g. Public comments with regard to subjects of a Public Hearing must be made during the Public Hearing portion of the meeting. If information pertaining to a public hearing is presented during the general comment period, the speaker will be ruled, "Out of Order" by the Presiding Officer and asked to save their comments for the Public Hearing.
- h. Any person or speaker who engages in behavior that disrupts the meeting so that it may not

continue may be ordered to leave the meeting. The Presiding Officer has the authority and duty to preserve order at all meetings of the Council, to cause the removal of any person from any meeting for disrupting the meeting and to enforce these rules.

- i. At the pleasure of the Presiding Officer or by a motion and agreement of a Council majority, following a public comment, a matter may be placed on a future agenda, or be referred to the administration or a council committee for investigation and report. A vote of a Council majority may also overrule the decision of the Presiding Officer in this case.
- j. Residents are encouraged to supplement correspondence through written submittals. Written correspondence may be submitted to the Council at any time by email, citycouncil@desmoineswa.gov or mailing or otherwise delivering to the City Clerk, 21630 11th Ave So, Des Moines, WA 98198. A copy of all correspondence will be distributed to each Councilmember and will be made part of the public record, but will not be read aloud.

E. Committee Chair Reports:

This is a three-minute opportunity for Chairs of standing committees of the Council to update the Council on Board and committee activities, work plans, and other items of interest.

F. City Manager Report/Presentations/Briefings:

The City Manager's report is an opportunity for the City Manager to brief the Council on the progress or plans with regard to items, projects, issues, relationships, or events of significant interest.

G. Consent Agenda:

The City Manager, in consultation with the Presiding Officer, shall place matters on the Consent Agenda which are considered to be of a routine and non-controversial nature. The individual items on the consent agenda shall be approved, adopted, or enacted by one motion of the Council. Any item may be removed from the Consent Agenda on the request of a single Councilmember. It will be considered at its regular place in the agenda OR It will be considered immediately after the Consent Agenda.

No discussion shall take place regarding any item on the consent agenda beyond asking questions for simple clarification.

H. Ceremonial Matters, Proclamations, Recognitions:

1. Proclamations:

The Mayor and the Council have authority to introduce proclamations for a variety of purposes, as approved by the Council. No proclamation shall constitute official City actions unless approved or authorized by a majority of the City Council.

I. Public Hearings – The procedures of a public hearing are as follows:

1. Prior to the start of the "Comments from the Public" portion of the public hearing, the Presiding Officer may require that all persons wishing to be heard shall sign in with the Clerk, giving their names City of residence, the agenda item, and whether they wish to speak as proponent, opponent, or otherwise. Any person who fails to sign in shall not be permitted to speak until all those who signed in have done so. At any public hearing all persons who have signed in and wish to be heard shall be heard. However, the Presiding Officer shall be authorized to establish speaker time limits and otherwise control presentations to avoid repetition. In public hearings that are not of a quasi-judicial nature, the Presiding Officer, subject to concurrence of the majority of the Council, may establish time limits and otherwise control presentations. The Presiding Officer may change the order of speakers so that testimony is heard in the most logical groupings (i.e. proponents, opponents, adjacent owners, vested interests, etc.).
2. The Presiding Officer introduces the agenda item, opens the public hearing, and provides a summary of the following Rules of Order and/or advises the public that they may have a copy of such rules, which shall be available with other agenda materials regularly made available to the public at each Council meeting:

- a. All comments by proponents, opponents, or the public shall be made from the speaker's rostrum and any individual making comments shall first give their name and city of residence. This is required because an official recorded transcript of the public hearing is being made. If there is any appeal to King County Superior Court, the court must make its decision on the basis of what was said here.
 - b. It is not necessary to be a proponent or opponent in order to speak. If you consider yourself neither a proponent nor opponent, please speak during the proponent portion and identify yourself as neither a proponent nor an opponent
 - c. No comments shall be made from any other location, and anyone making "out of order" comments shall be subject to removal from the meeting.
 - d. There will be no demonstrations during or at the conclusion of anyone's presentation
 - e. These rules are intended to promote an orderly system of holding a public hearing, to give every person an opportunity to be heard, and that every individual who speaks can do so without ridicule or intimidation. to ensure that no individual is embarrassed by exercising their right of free speech.
3. When Council conducts a hearing to which the Appearance of Fairness Doctrine applies (Rule 6.2, and Parliamentary Procedure 11.06B) the Presiding Officer will ask if any Councilmember knows of any reason which would require such member to excuse themselves pursuant to Rule 6.2. The suggested form of the announcement is as follows:
- "All Councilmembers should now give consideration as to whether they have: (1) a demonstrated bias or prejudice for or against any party to the proceedings; (2) a direct or indirect monetary interest in the outcome of the proceedings; (3) a prejudgment of the issue prior to hearing the facts on the record; or (4) ex parte contact with any individual, excluding Administrative staff, with regard to an issue prior to the hearing. If any Councilmember should answer in the affirmative, then the Councilmember should state the reason for their answer at this time so that the Chair may inquire of Administration as to whether a violation of the Appearance of Fairness Doctrine exists."
- a. When Council conducts a "quasi-judicial" hearing, the Presiding Officer may require that all persons wishing to provide testimony during the course of such hearing provide an oath, on the record, affirming the truth of their testimony. The suggested form and process for such oath is as follows:

"The Presiding Officer asks all possible speakers to raise their right hand, asks such individuals to consider the following question and respond "I do", and inquires:

"Do you affirm under penalty of perjury under the laws of the State of Washington that the testimony you are about to provide is true and accurate to the best of your knowledge?"
4. At the outset of each public hearing or meeting to consider a zoning amendment or zoning reclassification the Presiding Officer will call upon City Administration to describe the matter under consideration, including legal standards for approval of the item before the Council, and ask the parties to limit their presentations to information within the scope of the Council standards.
 5. The Presiding Officer calls for proponents in quasi-judicial proceedings (and for speakers in non-quasi-judicial proceedings).
 6. The proponents now speak. (Note: If the City of Des Moines is the proponent, a member or members of the administration shall be designated to give proponent and rebuttal testimony).
 7. The Presiding Officer calls for additional proponents or speakers three times.
 8. In non-quasi-judicial proceedings refer to Public Hearing Rule 10a, otherwise the Presiding Officer calls for opponents by announcing the following:

"At this time the opponents will have an opportunity to speak. Should any opponent have questions to ask of the proponents, ask the questions during your presentation. The proponents shall note the question asked, and answer such questions when the proponent speaks in rebuttal. The proponent shall be required to answer any reasonable question, provided that the Presiding Officer reserves the right to rule any question out of order."
 9. Opponents speak.
 10. The Presiding Officer calls for additional opponents three times.

11. The Presiding Officer calls for proponents to speak in rebuttal. A proponent speaking in rebuttal shall not introduce new material. If the proponent does, or is allowed to do so, the opponents shall also be allowed to rebut the new elements.
12. The Presiding Officer announces:
 "At this time I will inquire of the administration as to whether there have been any mis-statements of fact or whether the administration wishes to introduce any material as to subjects raised by the proponents or opponents or alter in any regard its initial recommendations."
13. The Presiding Officer inquires as to whether any Councilmembers have any questions to ask the proponents, opponents, speakers, or administration. If any Councilmember has questions, the appropriate individual will be recalled to the podium.
14. The Presiding Officer closes the public hearing.
15. After a public hearing is closed, no member of the public shall be permitted to address the Council or the staff. In fairness to members of the public, the City Council shall be considered to be in deliberations from that point forward. Continuance of the item shall place it on the "unfinished business" portion of any forthcoming agenda. Additional public testimony either that evening or at a future meeting would be precluded until public hearing notification procedures required by the Des Moines Municipal Code are concluded.
16. The Presiding Officer inquires if there is a motion by any Councilmembers. If a motion is made, it shall be in the form of an affirmative motion. Following the motion and its second, discussion occurs among Councilmembers. The Presiding Officer may call on individual Councilmembers in the discussion.
17. The Presiding Officer inquires if there is any further discussion by the Councilmembers.
18. The Presiding Officer inquires if there are any final comments or recommendations from administration.
19. The Presiding Officer inquires of the Councilmembers as to whether they are ready for the question.
20. The Clerk shall conduct a roll call vote.
21. The Presiding Officer directs administration to prepare findings consistent with the action.

J. Unfinished Business.

K. New Business - The following are types of business conducted by the City Council:

1. Ordinances, Resolutions, Proclamations, Contracts:
 All Ordinances, Resolutions, Proclamations and Contracts shall, before presentation to the Council, have been approved as to form and legality by the City Attorney, the applicable Department Head(s), and the City Manager.
2. Draft Preparation:
 Ordinances and resolutions shall be prepared by the City Attorney and presented to the full Council for consideration. Prior to final passage of all ordinances, resolutions or motions, such documents or proposals shall be designated as DRAFTS as follows:
 - a. Proposed Drafts shall contain the name of the group, organization, committee or individual originating, initiating or sponsoring the proposal prior to the first presentation to the City Council where a vote is taken directing some official action or further consideration.
 - b. Council Drafts shall be documents or proposals which have been presented in open session and voted on by the City Council when the resultant Council action was other than passage or a vote to cease further consideration.
3. Ordinances:
 An enacted ordinance is a legislative act prescribing general, uniform, and permanent rules of conduct relating to the corporate affairs of the municipality. Council action shall be taken by ordinance as required by law, or to prescribe permanent rules of conduct which continue in force until repealed, or where such conduct is enforced by penalty. If a Councilmember requests that the entire ordinance, certain sections, or the title be read, such requests shall be granted.
4. Resolutions:

An enacted resolution is an administrative act which is a formal statement of policy concerning matters of special or temporary character. Council action shall be taken by resolution as required by law and in those instances where an expression of policy more formal than a motion is desired.

5. The title of each resolution shall in all cases be read prior to its passage; provided, should a Councilmember request that the entire resolution or certain of its sections be read, such requests shall be granted. Printed copies shall be made available upon request to any person attending a Council meeting.
 6. Contracts:
Refer to Addendum B, [Resolution No. 1118](#), policies governing City Council participation in public contracts.
 7. Motions:
A motion is a formal procedure for taking action. To make a motion, a Councilmember must first be recognized by the Mayor.
- L. New Agenda Items for Consideration:
This portion of the meeting allows a Councilmember to present an idea to their colleagues for consideration in placing the item on a future agenda:
1. A presenter should come to the dais prepared with research and answers to questions, and offer a specific, concise request.
 2. It is not a time for discussion, deliberation, presentation, or research – other than the minimum amount of information necessary to gain needed support.
 3. A minimum of three Councilmembers must agree in order for the item introduced to be placed on a future agenda.
- M. Councilmember Reports:
This is an opportunity for Councilmembers to comment on agenda items and update each other regarding community events, activities, or notable regional issues:
1. Reports shall be limited to four minutes, unless extended time is granted by the Presiding Officer. The Presiding Officer shall notify the Councilmember when the allotted time has expired. Discussion or voting during this time will not be considered a part of their time limit.
- N. Presiding Officer's Report:
In addition to any special board or committee reports, the Presiding Officer may give a report on any activity participated in as part of the official duties of the Mayor.
- O. Executive Session (as needed):
At the call of the presiding officer, or with a majority vote, the City Council may recess to Executive Session to privately discuss and consider matters of confidential concern to the well-being of the City. The purposes for which an Executive Session or Closed Session may be held are identified in [RCW 42.30.110](#) and [RCW 42.30.140](#).

The City Council may also hold an Executive Session to receive confidential advice from the City Attorney under the attorney-client privilege.

Before convening in Executive Session or Closed Session, the presiding officer shall publicly announce the purpose for excluding the public from the meeting place, and the time when the Executive Session/Closed Session will be concluded. An Executive Session/Closed Session may be extended to a stated later time by announcement of the Presiding Officer.

Participants in an executive session have a duty under the Open Public Meetings Act to keep information from the session confidential, Pursuant to Attorney General Opinion ([AGO 2017 No. 5](#)), disclosure of confidential information from an executive session by a municipal officer violates [RCW 42.23.070\(4\)](#) and accordingly may result in the sanction or censure of the violating party.

- P. Next meeting date announced by Presiding Officer.
- Q. Adjournment. No meeting shall be permitted to continue beyond 9:00 p.m. without approval of three-fourths of the Councilmembers who are present and eligible to vote. A new time limit must be established before taking a Council vote to extend the meeting. In the event that a meeting has not been closed or continued by Council vote prior to 9:00 PM, the items not acted on shall be deferred to the next regular Council meeting as unfinished business, unless the Council, by a majority vote of members present, determines otherwise.
- R. Meeting Materials - Following each meeting, public comment and any materials included at the meeting, which were not in the original packet, will be posted on the City website with a notification.

8.07 Order of Business - Study Sessions

The study session is the forum used by Council to review forthcoming programs of the City, to receive progress reports on current issues, or to receive similar information from the City Manager and others. The purpose of Study Sessions is to allow Councilmembers to do concentrated preliminary work with administration on single subjects of time consuming, complex matters (i.e., budget, complex legislation or reports, research, etc.)

Study Sessions need have no formal agenda and may be conducted informally so long as such informality is not in conflict with these rules. These conditions will allow the Councilmembers to communicate informally about these impending issues. The Presiding Officer retains the option of assuming the function of the Moderator in order to keep the discussion properly focused.

No final Council action on ordinances or resolutions may be taken during a Study Session.

- A. In Preparation for a Study Session, the City Clerk, under the direction of the City Manager, shall arrange a Council Study Session worksheet for the Study Session. The Council Study Session worksheet shall contain the Discussion Item.
- B. After the proposed Council Study Session worksheet has been approved by the Presiding Officer, a copy of it along with any available supporting materials shall be prepared for Councilmembers, and the meeting will be noticed by close of business Friday prior to the Council Study Session, except in an emergency.
- C. During a Study Session, the Moderator may:
 - 1. Introduce and give background information
 - 2. Identify the discussion goal
 - 3. Act as facilitator to keep the discussion focused
 - 4. Alert the Presiding Officer when/if it is appropriate to call for a motion or other official direction of the Council

8.08 Order of Business – General Procedures

- A. Forms of Address:

The Mayor shall be addressed as "Mayor (surname)." The Deputy Mayor shall be addressed as "Deputy Mayor (surname)." Members of the Council shall be addressed as "Councilmember (surname)."
- B. Seating Arrangement of the Council:

Councilmembers shall occupy the respective seats in the Council Chamber assigned to them by the Mayor.
- C. Signing of City Documents:

The Mayor, unless unavailable, shall sign all ordinances, resolutions and other documents which have been adopted by the City Council and require an official signature; except when the City Manager has been authorized by Council action to sign documents. In the event the Mayor is unavailable, the Deputy Mayor may sign such documents.

D. Quorum:

At all meetings of the Council, four Councilmembers who are present and eligible to vote shall constitute a quorum for the transaction of business. A lesser number may adjourn from time to time, provided that written notice of said adjournment is posted in accordance with RCW 42.30.090. Council meetings adjourned under the previous provision shall be considered a regular meeting for all purposes.

E. Attendance:

[RCW 35A.12.060](#) provides that a Councilmember shall forfeit his/her office by failing to attend three consecutive regular meetings of the Council without being excused by the Council. Members of the Council may be so excused by complying with this section. The member shall contact the Presiding Officer prior to the meeting and state the reason for his/her inability to attend the meeting. If the member is unable to contact the Presiding Officer, the member shall contact the City Manager or City Clerk, who shall convey the message to the Presiding Officer. Following roll call, the Presiding Officer shall inform the Council of the member's absence, state the reason for such absence, and inquire if there is a motion to excuse the member. This motion shall be non-debatable. Upon passage of such motion by a majority of members present, the absent member shall be considered excused and the Clerk will make an appropriate notation in the minutes.

F. Remote Attendance:

A Councilmember may participate remotely in all or part of a Council meeting because of an unanticipated event that prevents a Councilmember from attending in person through no fault of their own. In order to receive compensation for a meeting, a formal recognition of remote attendance must be granted by the Mayor or Presiding Officer.

If the basis for the remote participation is due to the Councilmember attending to City business in another capacity, the Councilmember shall be considered physically present for the purposes of [DMMC 4.08.020](#).

In the event that the Mayor seeks to attend a meeting remotely, the Mayor shall seek prior approval from the Deputy Mayor. If approval is granted, the Deputy Mayor shall act as the Presiding Officer for the meeting.

When participating remotely:

1. A Councilmember must be able to be heard.
2. The Councilmember shall have reviewed all of the applicable material and participated in the relevant portion of the Council Meeting related to the topic of the vote. Any technical prohibitions or difficulties that prevent all parties present at the Council Meeting from adequately communicating, will negate any authorization previously given by the Mayor.
3. The remote participant shall notify the Presiding Officer if they are about to disconnect participation.
4. A remote appearance shall count toward a quorum of the Council for all purposes and shall entitle the Councilmember to vote.

G. Minutes:

The City Clerk or designee shall take minutes at all meetings of the City Council. The minutes shall be made available for public inspection.

H. Voting:

Unless otherwise provided for by statute, ordinance, or resolution, all votes shall be taken by voice or by raise of hand as requested by the Presiding Officer. A roll call vote shall be taken by the Clerk at the request of a Councilmember. The order of the roll call vote shall be determined by the Presiding Officer:

1. Vote requirements include:
 - a. Majority of the fixed membership of the Council (4 votes)
 - b. Two-thirds of the fixed membership of the Council (5 votes)
 - c. Minimum of a majority of members present and voting (if 4 or 5 members present and voting, this is 3. If 6 or 7 members present and voting, this is 4).
2. In case of a tie in votes on any proposal, the proposal shall be considered lost.
3. Every member who was in the Council chambers when the question was put, shall give their vote unless the Councilmember excuses themselves in accordance with 8.08(e). If any unexcused Councilmember remains silent, they shall be listed in the record as “abstain.”
4. Reconsideration of an item will be taken up by a majority vote of members present and voting. A member of the prevailing side must make a motion for reconsideration after the previous vote was taken, and it can be made no later than the next regular meeting after which the previous vote was taken.
5. The passage of any ordinance, grant or revocation of franchise or license, any resolution for the payment of money, any approval of warrants, and any resolution for the removal of the City Manager shall require the affirmative vote of at least a majority of the fixed membership of the Council (four votes)
6. The passage of any public emergency ordinance (an ordinance that takes effect immediately), expenditures for any calamity or violence of nature or riot or insurrection or war, and provisions for a lesser emergency such as a budget amendment shall require the affirmative vote of at least two-thirds of the fixed membership of the Council (five votes).
7. Only those ordinances, resolutions, or motions that receive an affirmative vote by the majority of members present and voting shall be passed or become effective unless other voting requirements are provided by Washington State law, DMMC, or this Resolution as amended.
8. In order for an ordinance or resolution to become effective immediately, the City Council must declare that an emergency exists and approve the ordinance or resolution by the affirmative vote of two-thirds of the fixed membership of the Council (five votes). (See Chapter 8.G.10E).

8.09 Open Public Meetings Act

- A. The Des Moines City Council will comply with all state and federal law in the notice, conduct, recording, storage and dissemination of meetings and associated information.
- B. All writings distributed for discussion or consideration at a public meeting are public records. To that end, except for emergencies and technical issues, Councilmembers shall not communicate digitally, in forms such as, but not limited to; call, text, chat, or social media posting during a council meeting.
- C. Actions:

No legal action can be taken by the Council except in a public meeting. At a *Special Meeting*, action can be taken only on those items appearing on the posted agenda, except for emergency items. At a Regular Meeting of the City Council, the Council is free to take action on non-agenda items, subject to applicable notice requirements in state statutes or local ordinances for the subject matter being considered.

CHAPTER 9 PROTOCOL ADMINISTRATION

9.01 Biennial Review

The City Council will review and revise the City Council Protocol Manual every two years, or as needed.

If needed, an Ad Hoc committee may be appointed by the Mayor for the purpose of review and advice to the Council.

9.02 Adherence to Protocol

- A. Each Councilmember shall have the duty and obligation to review this Protocol Manual and understand to be bound by its provisions.

- B. The Mayor will be primarily responsible to ensure that the City Council, staff, and members of the public adhere to the Council's adopted Protocol Manual.

- C. Knowing and/or willful failure to adhere to the provisions of this Protocol Manual may subject a Councilmember to enforcement and sanctions as follows:
 - 1. Upon determining that there is credible evidence that a Councilmember has, or may have, engaged in knowing and/or willful action or omission that constitutes failure to adhere to the provisions of this Protocol Manual, the Mayor or the Deputy Mayor, in the event that the Mayor is the Councilmember alleged to have engaged in such action or omission, may call upon the Council to determine whether such knowing and/or willful action or omission has occurred, and the sanctions, if any, to be imposed.
 - 2. Prior to conducting any hearing on an alleged failure to adhere to the provisions of this Protocol Manual, the Mayor or Deputy Mayor shall provide written notice to the Councilmember alleged to have engaged in such failure to adhere at least ten (10) calendar days prior to calling for such hearing. The written notice shall identify the specific provisions of this Protocol Manual with which the Councilmember is alleged to have failed to adhere and the facts supporting such allegation.
 - 3. Upon call by the Mayor or Deputy Mayor, a majority of the Council shall vote on whether to hold a hearing to determine the existence of an act or omission constituting a failure to adhere and the sanctions, if any, to be imposed. If such hearing is approved by the Council, the hearing shall be held at a time and place specified in the motion approving such hearing.
 - 4. At such hearing, the Council shall determine whether there is a preponderance of credible and substantial evidence indicating that a Councilmember has knowingly and/or willfully acted or failed to act in a manner constituting a failure to adhere to the provisions of this Protocol Manual. The Councilmember alleged to have failed to adhere to the provisions of this Protocol Manual shall have the right to present evidence and testimony. The finding of the existence of such knowing and/or willful failure to adhere shall be determined by motion approved by a majority of the Council.
 - 5. Upon finding that a knowing and/or willful failure to adhere to the provisions of this Protocol Manual has occurred, the Council shall proceed to determine whether the sanctions, if any, should be imposed. Such breaches include, but are not limited to:
 - a. Failure to observe respectful rules of discussion
 - b. Creating disruption at the dais
 - c. Breaching confidentiality of executive session
 - d. Failing to observe ethics guidelines
 - e. Taking action outside the board meeting which undermines the body.
 - f. Appropriate sanctions include, but are not limited to the following:
 - 1. Verbal warning
 - 2. Written warning
 - 3. Public censure
 - 4. Removal of appointment to extra-territorial boards, committees, or commissions; and
 - 5. Removal of appointment to Council boards or committees

9.03 City Attorney as Protocol Advisor

The City Attorney shall assist the Mayor and serve as an advisor for interpreting the City Council's adopted Protocol Manual.

CHAPTER 10 LEAVING OFFICE/FILLING VACANCIES

10.01 Return of Materials and Equipment

During their service on the City Council, members may have acquired or been provided equipment such as computers, cell phone or other items of significant value. These items are to be returned to the City at the conclusion of a member's term. If an item is lost or unable to be returned, the Councilmember will reimburse the City for the current value of the item.

10.02 Filling Council Vacancies

The purpose of this section is to provide guidance to the City Council when a Des Moines Councilmember position becomes vacant before the expiration of the official's elected term of office. Pursuant to state law, a vacancy shall be filled only until the next regular municipal election, to serve the remainder of the unexpired term.

A. References

[RCW 42.30.110 \(H\)](#) – Executive Session Allowed to Consider Qualifications of a Candidate for Appointment to Elective office.

[RCW 42.30.060](#) – Prohibition on Secret Ballots.

[RCW 42.12](#) – Vacant Position.

[RCW 35A.13.020](#) – Vacancies – Filling of Vacancies in Council/Manager Form of Government:

1. A Council position shall be officially declared vacant upon the occurrence of any of the causes of vacancy set forth in [RCW 42.12.010](#), and [RCW 35A.13.020](#), including resignation, recall, forfeiture, written or public statement of intent to resign, or death of a Councilmember. The Councilmember who is vacating their position is not allowed to participate in the appointment process.
2. In order to fill the vacancy with the most qualified person available until an election is held, the City Council shall direct staff to begin the Councilmember appointment process and establish an interview and appointment schedule, so that the position is filled at the earliest opportunity:
 - a. The City Clerk's Office shall prepare and distribute a public notice as required. This notice shall contain information, including but not limited to, time to be served in the vacant position, election information, salary information, Councilmember powers and duties, the deadline date and time for submitting applications, interview and appointment schedules, and such other information that the City Council deems appropriate.
 - b. The City Clerk's Office shall prepare an application form, which requests appropriate information for City Council consideration of the applicants. Applications will be available at City of Des Moines offices and on the City's official website.
 - c. Applications and any attachments received by the deadline date and time will be distributed by the City Clerk's Office, to the Mayor and City Council.
 - d. The City Clerk's Office shall publish the required public notice(s) for the meeting scheduled for interviewing applicants for consideration to the vacant position. This meeting may be a regularly scheduled City Council meeting, or a special City Council meeting.
 - e. The City Clerk's Office shall notify applicants of the location, date and time of City Council interviews, and include instructions about how the interview process will be conducted.
3. Interview Process:

The Interview process will be determined by a vote of the majority of the Council.
4. Voting:

Upon completion of the interviews, Councilmembers may convene into Executive Session to discuss the qualifications of the applicants. However, all interviews, deliberations, nominations and votes taken by the Council shall be in open public session:

 - a. The Mayor shall ask for nominations from the Councilmembers for the purpose of

- creating a group of candidates to consider. No second is needed.
- b. Nominations are closed by a motion, second and majority vote of the Council.
- c. Councilmembers may deliberate on such matters as criteria for selection and the nominated group of candidates.
- d. The Mayor shall poll Councilmembers to ascertain that Councilmembers are prepared to vote.
- e. The City Clerk shall proceed with a roll-call vote.
- f. Elections will continue until a nominee receives a majority vote of the remaining Councilmembers.
- g. At any time during the election process, the City Council may postpone elections until a date certain or regular meeting if a majority vote has not been received.
- h. Nothing in this policy shall prevent the City Council from reconvening into Executive Session to further discuss the applicant/candidate qualifications.
- i. The Mayor shall declare the nominee receiving the majority vote as the new Councilmember and shall be sworn into office by the City Clerk at the earliest opportunity or no later than the next regularly scheduled City Council meeting.
- j. If the City Council does not appoint a qualified person to fill the vacancy within 90 days of the declared vacancy, the Revised Code of Washington delegates appointment powers to King County.

CHAPTER 11 PARLIAMENTARY PROCEDURES

Rules of Order not specified by statute, Ordinance or Resolution shall be governed by the most recent edition of *Robert's Rules of Order Newly Revised*.

All items of business placed before the Council that require the expenditure of Council and/or administration resources, shall be in the form of an affirmative motion.

11.01 Meeting Decorum and Order

- A. The presiding officer shall preserve decorum and decide all questions of order, subject to appeal by the Council. During Council meetings, Councilmembers shall preserve order and decorum and shall not delay or interrupt the proceedings or refuse to obey the orders of the chair or the rules of protocol.
- B. Courtesy: Members of the Council, in the discussion, comments or debate of any matter or issue, shall be courteous in the language and demeanor, and shall not engage in derogatory remarks or insinuations in respect to any other member of the Council, or any member of the staff or the public, but shall, at all times, confine their remarks to those facts which are germane and relevant as determined by the Presiding Officer, to the question or matter under discussion.

Interruption: No member of the Council shall interrupt or argue with any other member while such a member has the floor

- C. The City of Des Moines is committed to maintaining a drug and alcohol free workplace. Accordingly, members of the Council shall abide by Sections 6(1) and (6)(J)(I) of the City of Des Moines Personnel Manual while serving at the dais.

Any Councilmember may request the presiding officer to enforce the rules of protocol by using the motion "Point of Order." The Presiding Officer rules on whether the Point of Order is well-taken or not. Any Councilmember may appeal the Presiding Officer's ruling. The Council will decide whether to sustain or overrule the Presiding Officer's ruling by majority vote. The Presiding Officer may vote on the appeal. A tie vote sustains the Presiding Officer's decision.

- D. Dress Code: For Council Business meetings and representation assignments, Councilmembers shall adhere to a business casual attire, allowing for appropriate cultural expectations.

11.02 Obtaining the Floor

A Councilmember shall address or signal the presiding officer and gain recognition prior to making a motion or engaging in debate. Cross-exchange between Councilmembers and the public should be avoided. This is to prevent general conversation and to keep the order necessary to maintain decorum and accomplish the business of the Council.

After a member has concluded comments and yielded the floor, if two or more members are trying to obtain the floor at the same time, the general rule is that the person who addresses or signals the chair first is entitled to be recognized. When a motion is open to debate, however, there are two instances in which the presiding officer should assign the floor to a person who may not have been the first to address the chair. These are:

- A. The Councilmember who made the motion currently under debate is entitled to be recognized in preference to other members if that individual is claiming the floor and has not already spoken on the question.
- B. No member is entitled to the floor a second time in the meeting on the same motion as long as another member who has not spoken on the motion desires the floor.

11.03 Interruptions

Once recognized, a Councilmember should not be interrupted while speaking, except when another member makes a point of order. If a Councilmember is called to order while speaking, the individual shall cease speaking until the question order is determined.

Upon being recognized by the presiding officer, members of the staff shall hold the floor until completion of their remarks or until recognition is withdrawn by the presiding officer.

11.04 Discussion Limit

- A. Councilmembers should not speak more than once on a particular subject until every other Councilmember has had the opportunity to speak. No member of the Council shall speak more than twice on the same motion except by consent of the majority of the Council present.
- B. Questions and answers by the members of the Council are not considered as speaking to the motion.
- C. Each member of the Council shall speak for not more than five minutes per turn unless granted exception by a majority of the Council present.
- D. No member of the Council may give their allotted time to another member unless there is approval of the majority of the Council present.

11.05 Suspending the Rules

A majority vote of members present and voting may suspend any provision of these meeting rules not governed by state law or ordinance without debate. The Councilmember moving the motion will state, "I move that we suspend the rules to [giving the purpose]." The Council may not suspend rules on fundamental principles of parliamentary procedure or those affecting the rights of individual members.

CHAPTER 12 ADDITIONAL TRAINING AND RESOURCE MATERIALS

12.01 Association of Washington Cities [(800) 562-8981]

<https://wacities.org/> The Association is a voluntary, nonpartisan, nonprofit association comprised of all incorporated cities and towns in Washington.

12.02 National League of Cities [(202) 626-3000]

www.nlc.org A non-partisan organization serving municipal governments, the NLC works to establish unified policy positions, advocates those policies forcefully, and shares information that strengthens municipal government throughout the nation.

12.03 International City/County Management Association [(202) 289-4262]

<https://icma.org/> ICMA is a professional and educational association of local government administrators that serves to enhance the quality of local government through professional management and to support and assist professional local government administration. The Association's *Elected Officials Handbook* series can be of great value to Councilmembers. Publications are also available through ICMA concerning every basic city service.

12.04 Government Finance Officers Association [(312) 977-9700]

www.gfoa.org GFOA is a professional association of state and local finance officers. The Association administers a broad range of services and programs related to government financial management.

12.05 Municipal Research & Services Center of Washington [(206) 625-1300]

www.mrsc.org MRSC is a nonprofit, independent organization created in 1969 to continue programs established in 1934 under the Bureau of Governmental Research at the University of Washington. One of the principal services of MRSC is to respond to inquiries on virtually every facet of local government.

AGENDA ITEM

BUSINESS OF THE CITY COUNCIL City of Des Moines, WA

SUBJECT: Comprehensive Plan Update

FOR AGENDA OF: April 3, 2025


ATTACHMENTS:

1. Chapter 1: Introduction – Memo
2. Chapter 4: Conservation & Open Space Element – Memo
3. Chapter 5: Capital Facilities, Utilities, and Public Services Element – Memo
4. Chapter 6: Parks, Recreation, and Open Space Element – Memo
5. Chapter 12: Healthy Des Moines Element – Memo

DEPT. OF ORIGIN: Community Development

DATE SUBMITTED: March 24, 2025

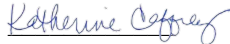
CLEARANCES:

- City Clerk _____
- Community Development 
- Courts _____
- Finance _____
- Human Resources _____
- Legal /s/ TG
- Marina _____
- Police _____
- Parks, Recreation & Senior Services _____
- Public Works _____

DRAFT CHAPTERS

1. [Chapter 1: Introduction – Redlines](#)
2. [Chapter 1: Introduction – Clean](#)
3. [Chapter 4: Conservation & Open Space Element – Redlines](#)
4. [Chapter 4: Conservation & Open Space Element – Clean](#)
5. [Chapter 5: Capital Facilities, Utilities, and Public Services Element – Redlines](#)
6. [Chapter 5: Capital Facilities, Utilities, and Public Services Element – Clean](#)
7. [Chapter 6: Parks, Recreation, and Open Space Element – Redlines](#)
8. [Chapter 6: Parks, Recreation, and Open Space Element – Clean](#)
9. [Chapter 12: Healthy Des Moines Element – Redlines](#)
10. [Chapter 12: Healthy Des Moines Element - Clean](#)

APPROVED BY CITY MANAGER

FOR SUBMITTAL: 

Purpose and Recommendation

The purpose of this agenda item is for the Council to consider Chapter 1: Introduction; Chapter 4: Conservation & Environment Element; Chapter 5: Capital Facilities, Utilities, and Public Services Element; Chapter 6: Parks, Recreation, and Open Space Element; and Chapter 12: Healthy Des Moines Element of the Des Moines Comprehensive Plan Periodic Update.

Background

The Des Moines Comprehensive Plan is a policy document that describes how the City will manage its growth and provide necessary services and facilities over a 20-year planning horizon (Year 2044). Des Moines is designated as a High Capacity Transit Community and needs to plan for an additional 3,800 housing units, 2,380 new jobs and 726 net new permanent Emergency Housing Units by 2044.

The comprehensive plan includes 12 elements that address community characteristics; land use; transportation; conservation and environment; capital facilities, utilities and public services; parks, recreation and open space; housing; economic development; neighborhoods (North Central, Marina District and Pacific Ridge); and health. Each element includes a general summary of existing conditions along with goals and policies, and implementation strategies that indicate how the city, programs, and priorities will implement the Plan's goals and policies.

The periodic update requires a thorough review of each element of the Plan to ensure it reflects new laws and requirements, demonstrates capacity to meet our growth targets, responds to changing conditions within the community and addresses agency, tribal, and community interests expressed via our public outreach efforts.

To help frame the scope of our update, our consultant AHBL completed a review of the existing comprehensive plan and development regulations for consistency with the Washington State Department of Commerce's update checklists, legislative amendment to the Growth Management Act (GMA), Vision 2050 and Countywide Planning Policies (CPPs), and identified updates needed to comply with these requirements.

Council History

- 6/22/2023: Economic Development Committee Briefing
- 7/13/2023: City Council Briefing
- 1/25/2024: Economic Development Committee Update (Timeline)
- 3/28/2024: Economic Development Committee Presentation (Introduction and Land Use Elements)
- 4/11/2024: Environment Committee Presentation (Conservation and Environment Element)
- 4/25/2024: Economic Development Committee Presentation (Economic Development, North Central Neighborhood, Marina District, and Pacific Ridge Elements)
- 5/9/2024: Environment Committee (Conservation and Environment Element Follow-up)
- 5/9/2024: Transportation Committee (Comp Plan Briefing and Transportation Goals)
- 6/22/2024: Economic Development Committee (Comp Plan Housing Bills Update)
- 6/27/2024: Economic Development Committee (Capital Facilities, Utilities & Public Services, and Parks, Recreation & Open Space Elements)
- 7/25/2024: Economic Development Committee (Healthy Des Moines Element)
- 9/26/2024: Economic Development Committee (Housing Element)

Public Outreach

- Dedicated Website: <https://imaginedesmoines2044.com/>
- Public Survey open from 7.27.23 – 12.4.23 with 482 Responses
- Booth at Farmers Market & National Night Out
- City Currents Articles

Discussion

Tonight's discussion will focus on the updates to Chapter 1: Introduction; Chapter 4: Conservation & Environment; Chapter 5: Capital Facilities, Utilities, and Public Services Element; Chapter 6: Parks,

Recreation, and Open Space; and Chapter 12: Healthy Des Moines of the Des Moines Comprehensive Plan Periodic Update. A detailed memo reading the updates has been attached for each chapter.

Based on Council's previous Committee meetings and discussions, staff has highlighted the following for Council review. Please review the following changes to ensure they align with council's vision for the Comprehensive Plan:

Tribal Acknowledgment

"The Comprehensive Plan guides how the City of Des Moines will work with Tribal Nations, partners, stakeholders, state and regional agencies, and the public as we plan for growth that will occur on the ancestral lands of the Coast Salish peoples. The City recognizes the importance of continuous collaboration with the Coast Salish peoples who have stewarded the Salish Sea since time immemorial. In respect for and acknowledgment of their legacy, this Plan seeks to foster meaningful exchange of information with Tribes, preserve the region's cultural heritage, and create a livable, equitable, and sustainable home for current and future generations."

New policies relating to tree preservation:

- CE 2.4.2 Encourage the preservation of trees within critical areas by maintaining a permitting process that requires review prior to tree removal or pruning.
- CE 2.4.3 Maintain and preserve significant trees by requiring development proposals to adhere to a replacement ratio for the removal, destruction, or damage of any trees that were identified to be retained.
- CE 2.4.4 Meet Department of Ecology National Pollutant Discharge Elimination System (NPDES) requirements for tree retention and preservation as new permits are issued.
- CE 2.4.5 When removing hazard trees, consideration for snag creation or leaving the removed downed tree in-place will be given.

New water management policies relating to tree canopy:

- CE 4.6 Undertake actions to protect and maintain tree canopy to support stormwater management and water quality improvements per adopted policies
- CE 4.6.1 Study and propose regulations to increase tree replacements policies on privately owned land or in lieu fee.
- CE 4.6.2 Seek grant opportunities to acquire additional land that meets the need for expanding or protecting mature tree canopy.
- CE 4.6.3 Develop a program for planting and long term maintenance plan to support viability of newly planted trees and seek grant funding to support costs.
- CE 4.6.4 Establish a public outreach program to help community members become aware of the importance of tree canopy and water quality and any associated requirements.

New Air Quality and Noise Policies:

- CE 8.1.7 Implement and maintain processes that encourage the preservation and maintenance of trees through programs such as Off-Site Mitigation and Fees Paid In Lieu and continue developing strategies to increase funding to programs such as the Urban Forestry Fund.
- CE 8.1.9 Identify environmental impacts disproportionately affecting people of color and low-income populations in the community and develop strategies to mitigate these outcomes
- CE 8.1.10 Continue to participate in the SEA Stakeholder Advisory Round Table (StART), or similar, meetings and provide feedback to the Port of Seattle on airport related issues such as air quality, small particulates, aircraft noise and disproportionate impacts on racial and ethnic minority groups and low-income households.

- CE 8.1.11 Support Long-term monitoring of airport and traffic related air pollutants in proximity to Sea-Tac Airport within the City of Des Moines, through the support for the establishment of a fixed site monitoring location.

New Goals and Policies relating to Noise and Air Pollution:

- Goal HD 3 Support the efforts of the Port of Seattle to study the impacts of noise and air pollution from SeaTac Airport on surrounding communities and be supportive of independent studies into noise and air pollution impacts.
- HD 3.1 Build upon the “Clearing the Air” study conducted by the University of Washington and continue to collaborate with educational institutions to investigate ways to mitigate the impacts of noise and ultrafine air pollution on the health of City of Des Moines residents.
- HD 3.1.1 Advocate on behalf of the community to require SeaTac Airport to implement stricter noise reduction policies on aircraft flying through the airport.
- HD 3.1.2 Support the efforts of the Port of Seattle to find cleaner alternatives to traditional fuels.

Introduction

The Introduction provides information about our community along with an overview of the Growth Management Act (GMA), Countywide Planning Policies (CPPs), Vision 2050, and the comprehensive plan. The Comprehensive Plan is a twenty (20) year plan that articulates the community’s vision and values. The plan also addresses the targeted population, housing, and employment growth through 2044 and how facilities and services will accommodate that growth.

Summary of Major Changes:

- Addition of Land Acknowledgment
- Updated Census/Office of Finance Management Numbers
- Updated Council Mission/Vision/Values
- Updated 2044 Des Moines Housing Targets
- Updated public engagement information for Comprehensive Plan

Conservation and Environment Element

The Conservation and Environment Element contains goals, policies and implementation strategies aimed at environmental stewardship and protecting the City’s environmental assets, with particular emphasis on environmentally critical areas, shorelines, surface and groundwater quality, and climate change. The Washington State Growth Management Act mandates the protection of aquifer recharge areas, fish and wildlife habitat conservation areas, flood hazard areas, geologically hazardous areas, wetlands, and stream corridors while the Shoreline Management Act provides for the protection of shorelines. Recognizing that a substantial portion of the City is located in geologically hazardous areas, this element also addresses the health of ecological functions, public safety, and protection from natural dangers, including erosion, landslides, and seismic hazards.

Summary of Major Changes:

- Fish & Wildlife background information added
- Shoreline Master Plan (SMP) discussion
- Puget Sound Water Quality Management Program discussion
- HB 1181 Future Climate Element
- New policies relating to tree preservation
- New policies relating to critical areas

- New Goal and policies relating to the Shoreline Master Program (SMP)
- New water management policies, including but not limited to a new goal and policies to maintain tree canopy
- New Fish and Wildlife policies
- New Energy policies relating to climate change
- New Air Quality and Noise policies, including policies relation to tree preservation, disproportional impacts, and Sea-Tac Airport impacts.
- Updated Figure 4-7

Capital Facilities, Utilities, and Public Services Element

The Capital Facilities, Utilities and Public Services Element discusses facilities needed for public services that will support planned population and employment growth. The GMA sets out statutory requirements for local governments in planning for Capital Facilities. In addition, the rules in Washington Administrative Code (WAC) 365-196-415 provide guidance to meet the requirements. Additional direction has been provided by the Growth Management Hearings Boards. By planning ahead to identify which facilities will be needed, the City is better able to ensure that expectations for quality of service can be met. Consistent with the direction, goals, policies and implementation strategies in this element guide the City to ensure facilities adequately support new development, address any system deficiencies, and maintain established Level of Service standards.

Summary of Major Changes:

- New franchise agreement discussion
- Update to Adopted Plans by City of Des Moines and Plans the City review by other agencies
- Updates to information from each utility/service provider

Parks, Recreation, and Open Space Element

Open space and recreation and public facilities and services are two of the 14 statewide planning goals under the GMA. Per RCW 36.70A.020(5), the GMA encourages local jurisdictions, through comprehensive plans and development regulations, to retain open space and green space, enhance recreational opportunities, enhance fish and wildlife habitat, increase access to natural resource lands and water, and develop parks and recreation facilities. Additionally, to ensure that those public facilities and services necessary to support development shall be adequate to serve the development at the time the development is available for occupancy and use without decreasing current service levels below locally established minimum standards.

Summary of Major Changes:

- Consistency with 2022 Parks, Recreation, and Senior Services Master Plan (PRSS)
- Americans with Disabilities Act (ADA) Transition Plan Discussion
- Clean up language to clarify what are Goals & Policies and implementation within City Code.

Healthy Des Moines Element

The Healthy Des Moines Element is considered an optional element and not required under the Growth Management Act (GMA). However, the GMA requires us to review and update the City's Comprehensive Plan every 10 years and update all the City's elements/chapters. The Healthy Des Moines Element establishes goals, policies and strategies related to healthy food access, community gardens, nutrition standards for City programs, safe routes to school and complete streets.

Summary of Major Changes:

- Update on Community Programs
- Information about Wellness
- Census information for household income, rates of disability, and mortality rates by census tract.

- Use of grants funds for parks or trails
- New Goals and Policies relating to:
 - Noise and air pollution
 - RCO Physical Activity Task Force Report
 - Health disparities for underrepresented groups



MEMORANDUM

DATE: March 25, 2025

TO: City Council

FROM: Rebecca Deming, Community Development Director

SUBJECT: Comprehensive Plan: Introduction

Summary of Major Changes:

- Addition of Land Acknowledgment
- Updated Census/Office of Finance Management Numbers
- Updated Council Mission/Vision/Values
- Updated 2044 Des Moines Housing Targets
- Updated public engagement information for Comprehensive Plan

Discussion

The Introduction provides information about our community along with an overview of the Growth Management Act (GMA), Countywide Planning Policies (CPPs), Vision 2050, and the comprehensive plan. The Comprehensive Plan is a twenty (20) year plan that articulates the community's vision and values. The plan also addresses the targeted population, housing, and employment growth through 2044 and how facilities and services will accommodate that growth.

A noted change relates to new legislation codified in RCW 36.70A.040(8) setting out a process for coordination with Tribes. In December 2023, the City sent letters to the Duwamish, Muckleshoot, Nisqually, Puyallup, Snoqualmie, Squaxin, Suquamish and Tulalip Tribal Nations inviting them to participate in Des Moines comprehensive plan periodic update process. The Puyallup Tribe of Indians were the only was to respond with an interest to participate. City staff met with a Tribal representative who provided guidance on including a Tribal Acknowledgment, a separate Tribal Element and where policies centered on water quality, fisheries and the environment could be strengthened. The introduction includes a new tribal land acknowledgement:

"The Comprehensive Plan guides how the City of Des Moines will work with Tribal Nations, partners, stakeholders, state and regional agencies, and the public as we plan for growth that will occur on the ancestral lands of the Coast Salish peoples. The City recognizes the importance of continuous collaboration with the Coast Salish peoples who have stewarded the Salish Sea since time immemorial. In respect for and acknowledgment of their legacy, this Plan seeks to foster meaningful exchange of information with Tribes, preserve the region's cultural heritage, and create a livable, equitable, and sustainable home for current and future generations."

The Introduction includes background information about the community such as neighborhoods, population, growth trends, diversity, and income. Additionally, the chapter has the newly established City Council mission, vision, and values. There are minor updates to the discussion related to the relationship between the Countywide Planning Policies and the Puget Sound Regional Council (PSRC) Regional Plan Vision 2050.

The primary addition to the introduction is the discussion about the outreach and public engagement done for the Comprehensive Plan. The City established a dedicated website for the project which was called "Imagine Des Moines 2044" (<https://imaginedesmoines2044.com/>) and used a consistent branding and logo to identify the effort in a unique way. A public survey (conducted in English and Spanish) was held in late 2023 which garnered 482 responses, far exceeding the number of survey responses from the 2015 update process (which had 125 survey participants). The survey was promoted online via social media and in-person at the Farmers Market and National Night Out. Questions in the survey sought to identify community priority areas to address in the update. Next, articles in the city's newsletter,

“City Currents” were also featured to inform the community and drive meaningful engagement. Community Development department staff and consultants also talked directly to community members at the Farmers Market and at a National Night Out event booth.

Council Direction

Staff is looking for Council approval of the Introduction or Council consensus on changes needed for the Council Public Hearing and possible adoption. Staff will bring back the approved Chapters for Council Public Hearing and possible adoption as a whole Comprehensive Plan.

History:

March 28, 2024 Council Economic Development Committee Meeting

Staff presented proposed changes to Chapter 1: Introduction. Key policy direction provided by the committee related to adding a tribal acknowledgement to Chapter 1 and weaving goals, policies and implementation strategies throughout the plan versus adding a separate Tribal Element. The other item related to the style of language (e.g., "our City" vs. "the City") and whether that should be maintained. The EDC saw rationale for both.



MEMORANDUM

DATE: March 25, 2025

TO: City Council

FROM: Rebecca Deming, Community Development Director

SUBJECT: Comprehensive Plan: Conservation and Environment Element

Summary of Major Changes:

- Fish & Wildlife background information added
- Shoreline Master Plan (SMP) discussion
- Puget Sound Water Quality Management Program discussion
- HB 1181 Future Climate Element
- New policies relating to tree preservation
- New policies relating to critical areas
- New Goal and policies relating to the Shoreline Master Program (SMP)
- New water management policies, including but not limited to a new goal and policies to maintain tree canopy
- New Fish and Wildlife policies
- New Energy policies relating to climate change
- New Air Quality and Noise policies, including policies relation to tree preservation, disproportional impacts, and Sea-Tac Airport impacts.
- Updated Figure 4-7

Discussion

The Conservation and Environment Element contains goals, policies and implementation strategies aimed at environmental stewardship and protecting the City's environmental assets, with particular emphasis on environmentally critical areas, shorelines, surface and groundwater quality, and climate change. The Washington State Growth Management Act mandates the protection of aquifer recharge areas, fish and wildlife habitat conservation areas, flood hazard areas, geologically hazardous areas, wetlands, and stream corridors while the Shoreline Management Act provides for the protection of shorelines. Recognizing that a substantial portion of the City is located in geologically hazardous areas, this element also addresses the health of ecological functions, public safety, and protection from natural dangers, including erosion, landslides, and seismic hazards.

Critical areas within the City of Des Moines include wetlands, streams, critical aquifer recharge areas (CARAs), frequently flooded areas, geologically hazardous areas, and fish and wildlife habitat conservation areas. The locations of critical areas within the City of Des Moines are shown in the figures 4-1 through 4-7.

By 2029, the City of Des Moines will be required to include a separate Climate Element in its Comprehensive Plan per Washington State Legislature House Bill 1181, which aims to utilize the planning framework to strengthen the state's climate response. Although the City is not currently required to have a separate Climate Element, the Environment Element includes goals and policies throughout that provide a strong starting point for climate change prevention and resiliency, including methods for conserving energy and water, and improving air quality.

The element has both updated and new language throughout the document. Most of the proposed amendments relate to updating information and data that has changed since the previous comprehensive plan update. Many of the substantive changes to the goals, policies and implementation strategies relate to updated state, regional and county requirements. The new Goals and Policies include:

Goal CE 4 Consider natural processes such as flooding, and erosion before siting development and protect, restore, and enhance water quality of all surface waters (freshwater and marine), as well as shorelines and riparian areas.

CE 1.1.6 Evaluate the impacts of new development on Natural resources as a part of the SEPA environmental review process and require mitigation measures as appropriate.

CE 2.4.2 Encourage the preservation of trees within critical areas by maintaining a permitting process that requires review prior to tree removal or pruning.

CE 2.4.3 Maintain and preserve significant trees by requiring development proposals to adhere to a replacement ratio for the removal, destruction, or damage of any trees that were identified to be retained.

CE 2.4.4 Meet Department of Ecology National Pollutant Discharge Elimination System (NPDES) requirements for tree retention and preservation as new permits are issued.

CE 2.4.5 When removing hazard trees, consideration for snag creation or leaving the removed downed tree in-place will be given.

CE 2.5.2 Accommodate design flexibility and compensate for critical area preservation by calculating density for residential dwelling units as the ratio of developable area to undevelopable critical areas on site.

CE 2.5.3 Work with Tribal Nations, state and regional agencies and other stakeholders to identify and protect archaeological resources from development.

CE 3.1 Provide protections for shorelines of the state, as designated by the City's Shoreline Master Program (SMP).

CE 3.1.1 Review the SMP at least every ten years to ensure protection of the ecological functions and values of shorelines from cumulative adverse environmental impacts, and to ensure compliance with the requirements of the Growth Management Act.

CE 3.2.1 Update the environmentally critical areas sections within the SMP including but not limited to Section 6.4 to be consistent with the City's Critical Areas Ordinance and best available science (BAS).

CE 4.1.8 Implement the goals and regulations of the Federal Clean Water Act to maintain and ensure the chemical, physical, and biological integrity of the City's water.

CE 4.1.9 Encourage Low-Impact Development (LID) by utilizing natural features when feasible, to preserve the quality and quantity of available water.

CF 4.1.10 Encourage the use of drought-tolerant landscaping.

CE 4.3.3 Continue to monitor and modify flood hazard mapping databases based on most current available information.

CE 4.6 Undertake actions to protect and maintain tree canopy to support stormwater management and water quality improvements per adopted policies

CE 4.6.1 Study and propose regulations to increase tree replacements policies on privately owned land or in lieu fee.

CE 4.6.2 Seek grant opportunities to acquire additional land that meets the need for expanding or protecting mature tree canopy.

CE 4.6.3 Develop a program for planting and long term maintenance plan to support viability of newly planted trees and seek grant funding to support costs.

CE 4.6.4 Establish a public outreach program to help community members become aware of the importance of tree canopy and water quality and any associated requirements.

CE 5.2.7 Minimize habitat fragmentation by linking wildlife habitats, parks, and open spaces via corridors. Connect wildlife habitat corridors with each other within the City and the region to achieve a continuous network for the benefit of wildlife movement and recreational opportunities.

CE 5.3.3 The City of Des Moines shall continue its collaboration efforts through projects such as the Water Resource Inventory Area (WRIA) Salmon Habitat Plan, Poverty Bay Shellfish Protection District, and the Des Moines Creek Basin Committee in an effort to restore the Chinook Salmon habitat.

CE 7.1.4 In accordance with RCW 36.70A.210, ensure that the City's comprehensive plan and development regulations plan for, adapt to, and mitigate the ongoing and future effects of a changing climate.

CE 7.1.5 Explore various funding opportunities in order to continue developing a Climate Element by 2029 in accordance with RCW 36.70A.210.

CE 8.1.7 Implement and maintain processes that encourage the preservation and maintenance of trees through programs such as Off-Site Mitigation and Fees Paid In Lieu and continue developing strategies to increase funding to programs such as the Urban Forestry Fund.

CE 8.1.9 Identify environmental impacts disproportionately affecting people of color and low-income populations in the community and develop strategies to mitigate these outcomes

CE 8.1.10 Continue to participate in the SEA Stakeholder Advisory Round Table (StART), or similar, meetings and provide feedback to the Port of Seattle on airport related issues such as air quality, small particulates, aircraft noise and disproportionate impacts on racial and ethnic minority groups and low-income households.

CE 8.1.11 Support Long-term monitoring of airport and traffic related air pollutants in proximity to Sea-Tac Airport within the City of Des Moines, through the support for the establishment of a fixed site monitoring location.

Council Direction

Staff is looking for Council approval of the Conservation and Environment Element or Council consensus on changes needed for the Council Public Hearing and possible adoption. Staff will bring back the approved Chapters for Council Public Hearing and possible adoption as a whole Comprehensive Plan.

History:

April 11, 2024 *Council Environment Committee Meeting*

Staff presented Chapter 4: Conservation and Environment Element to the Committee. The Committee had questions and discussion related to HB 1181 (Climate Change bill), tree preservation and replacement ratios, tribal interests, bioswales, cross-jurisdictional coordination and overall timeline for planning.



MEMORANDUM

DATE: March 25, 2025
TO: City Council
FROM: Rebecca Deming, Community Development Director

SUBJECT: Comprehensive Plan: Capital Facilities, Utilities, and Public Services Element

Summary of Major Changes:

- New franchise agreement discussion
- Update to Adopted Plans by City of Des Moines and Plans the City review by other agencies
- Updates to information from each utility/service provider

Discussion

The Capital Facilities, Utilities and Public Services Element discusses facilities needed for public services that will support planned population and employment growth. The GMA sets out statutory requirements for local governments in planning for Capital Facilities. In addition, the rules in Washington Administrative Code (WAC) 365-196-415 provide guidance to meet the requirements. Additional direction has been provided by the Growth Management Hearings Boards. By planning ahead to identify which facilities will be needed, the City is better able to ensure that expectations for quality of service can be met. Consistent with the direction, goals, policies and implementation strategies in this element guide the City to ensure facilities adequately support new development, address any system deficiencies, and maintain established Level of Service standards.

Certain facilities and utilities are owned/offered by the City of Des Moines while others are owned/offered by other agencies, special purpose districts, or companies. Public services provided by the City include police protection, public works, transportation, and surface water management. Many utilities or public service providers operate facilities or have pipes or lines that extend through the city's rights of way.

Most of the changes to this element updates the references to comprehensive or capital improvement plans for providers of public facilities, utilities and services within Des Moines to the most recent versions. Additional coordination with utility providers was also conducted during planning efforts related to HB 1110 – Middle Housing.

Council Direction

Staff is looking for Council approval of the Capital Facilities, Utilities, and Public Services Element or Council consensus on changes needed for the Council Public Hearing and possible adoption. Staff will bring back the approved Chapters for Council Public Hearing and possible adoption as a whole Comprehensive Plan.

History:

June 27, 2024 Council Economic Development Committee Meeting

Staff presented proposed changes to Chapter 5: Capital Facilities, Utilities and Public Services Element. The committee recommended clearly distinguishing between those utility and service provider plans that are adopted by reference and those that the City reviews but does not formally adopt.



MEMORANDUM

DATE: March 25, 2025

TO: City Council

FROM: Rebecca Deming, Community Development Director

SUBJECT: Comprehensive Plan: Parks, Recreation, and Open Space Element

Summary of Major Changes:

- Consistency with 2022 Parks, Recreation, and Senior Services Master Plan (PRSS)
- Americans with Disabilities Act (ADA) Transition Plan Discussion
- Clean up language to clarify what are Goals & Policies and implementation within City Code.

Discussion

Open space and recreation and public facilities and services are two of the 14 statewide planning goals under the GMA. Per RCW 36.70A.020(5), the GMA encourages local jurisdictions, through comprehensive plans and development regulations, to retain open space and green space, enhance recreational opportunities, enhance fish and wildlife habitat, increase access to natural resource lands and water, and develop parks and recreation facilities. Additionally, to ensure that those public facilities and services necessary to support development shall be adequate to serve the development at the time the development is available for occupancy and use without decreasing current service levels below locally established minimum standards.

The Parks, Recreation, and Open Space Element has very minimal updates throughout the chapter text. The goals and policies in this element are taken from, and must be consistent with, the City's Parks, Recreation, and Senior Services Master Plan also known as the PRSS Plan, which were the primary focus of the updates. That plan was last updated and adopted in 2022 and is typically revised every six years to maintain eligibility for grant funding through the Washington State Recreation and Conservation Office (RCO).

A new section relating to the ADA transition Plan adopted in 2019 was added to the chapter. This plan covers a variety of topics to ensure a more accessible city, including upgrading parks and recreation facilities. This resolution and Transition Plan shows a commitment to goals in the Comprehensive Plan such as PR 6.2.2: "provide for inclusive recreation opportunities to meet the needs of special populations including those who are economically disadvantaged, physically challenged, and developmentally disabled in park facility planning, design, and program services, when feasible."

The Goals or Policies were updated to match the adopted PRSS. These are not shown in redlines as they are already Council adopted Goals and policies. Staff removed references to titles to specific commissions and changed them to provide more generic descriptions to ensure that the element withstands future changes, and these are shown in the redlines.

Council Direction

Staff is looking for Council approval of the Parks, Recreation, and Open Space Element or Council consensus on changes needed for the Council Public Hearing and possible adoption. Staff will bring back the approved Chapters for Council Public Hearing and possible adoption as a whole Comprehensive Plan.

History:

June 27, 2024 Council Economic Development Committee Meeting

Staff presented proposed changes to Chapter 6: Parks, Recreation and Open Space Element. The committee discussed the goals and policies in this element replacement with those in the 2022 Parks, Recreation, and Senior Services Master Plan.



MEMORANDUM

DATE: March 25, 2025

TO: City Council

FROM: Rebecca Deming, Community Development Director

SUBJECT: Comprehensive Plan: Healthy Des Moines Element

Summary of Major Changes:

- Update on Community Programs
- Information about Wellness
- Census information for household income, rates of disability, and mortality rates by census tract.
- Use of grants funds for parks or trails
- New Goals and Policies relating to:
 - Noise and air pollution
 - RCO Physical Activity Task Force Report
 - Health disparities for underrepresented groups

Discussion

The Healthy Des Moines Element is considered an optional element and not required under the Growth Management Act (GMA). However, the GMA requires us to review and update the City's Comprehensive Plan every 10 years and update all the City's elements/chapters.

The Healthy Des Moines Element establishes goals, policies and strategies related to healthy food access, community gardens, nutrition standards for City programs, safe routes to school and complete streets.

The element is mostly new language throughout the document and should be reviewed as mostly new chapter. Changes to this element include the addition of health data and funding opportunities, increased attention to addressing health disparities within underrepresented groups, and a discussion of health impacts related to SeaTac Airport. Additionally, there are many new Goals and Policies including:

- Goal HD 3** Support the efforts of the Port of Seattle to study the impacts of noise and air pollution from SeaTac Airport on surrounding communities and be supportive of independent studies into noise and air pollution impacts.
- Goal HD 4** Support implementation of the recommendations from the State RCO Physical Activity Task Force Report.
- Goal HD 5** Continue the city's commitment to address and alleviate health disparities for underrepresented groups.
- HD 3.1** **Build upon the "Clearing the Air" study conducted by the University of Washington and continue to collaborate with educational institutions to investigate ways to mitigate the impacts of noise and ultrafine air pollution on the health of City of Des Moines residents.**
- HD 3.1.1 Advocate on behalf of the community to require SeaTac Airport to implement stricter noise reduction policies on aircraft flying through the airport.

HD 3.1.2 Support the efforts of the Port of Seattle to find cleaner alternatives to traditional fuels.

HD 4.1 Advocate for a statewide study to investigate the decline and existing gaps of youth physical activity (Recommendation 6 from the Physical Activity Task Force Report).

HD 4.1.1 Utilize the Athletic Fields and Facilities Inventory tool to inform how park facilities and recreation programming can better meet the needs of people within the City of Des Moines.

HD 5.1 Identify and facilitate opportunities to support wellness initiatives for the diverse Des Moines community to address and alleviate health disparities for underrepresented groups.

HD 5.1.1 Pursue RCO grant funding opportunities to invest in health and wellness initiatives that to address health disparities in underrepresented groups.

HD 5.1.2 Research and monitor grant funding opportunities from DNR for disadvantaged and/or highly impacted communities.

Council Direction

Staff is looking for Council approval of the Healthy Des Moines Element or Council consensus on changes needed for the Council Public Hearing and possible adoption. Staff will bring back the approved Chapters for Council Public Hearing and possible adoption as a whole Comprehensive Plan.

History:

July 25, 2024 Council Economic Development Committee Meeting

Staff presented proposed changes to Chapter 12: Healthy Des Moines Element. The committee recommended creating an appendix with the data details to keep the chapter readable. It was also suggested that additional study data from independent sources regarding SeaTac Airport's health impacts be considered and referenced. Additional suggestions: include details of prior Des Moines Safe Routes to School projects and the goals for 24th Avenue South and South 200th Street, and specific recommendations regarding healthy food availability throughout the City.