

MINUTES

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

April 13, 2017 – 7:00 p.m.

CALL TO ORDER

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

PLEDGE OF ALLEGIANCE

The flag salute was led by Mayor Pina.

ROLL CALL

Council present: Mayor Matt Pina; Deputy Mayor Vic Pennington; Councilmembers, Jeremy Nutting, Luisa Bangs, Robert K. Back and Dave Kaplan.

Councilmember Melissa Musser was absent.

Direction/Action

Motion made by Councilmember Nutting to excuse Councilmember Musser; seconded by Councilmember Kaplan.

The motion passed 6-0.

Staff present: City Manager Michael Matthias, Chief Operations Officer Dan Brewer; City Attorney Tim George; Police Chief George Delgado; Assistant City Attorney Matt Hutchins; Surface Water & Environment Engineering Manager Loren Reinhold; Public Works Director Brandon Carver; Management Consultant Grant Fredricks; Assistant Harbormaster Scott Wilkins; Finance Director Dunyele Mason; Senior Planner Laura Techico; Community Development Manager Denise Lathrop; Parks, Recreation & Senior Services Director Patrice Thorell; City Clerk Bonnie Wilkins.

CORRESPONDENCE

- Letter received on proposed federal legislation and comments on proposed legislation.
- Letter in response to Quiet Skies invitation.

COMMENTS FROM THE PUBLIC

- Lisa Slavik; Friend to Friend; Best Friend Fest at Beach Park.
- Matt Mahoney and Michelle Thyng, Speed trailer on North Hill.
- Rick Johnson, Red light cameras.
- Stuart Jenner, Proposed schedule changes in the Highline School District.

Mayor Pina asked for Council's indulgence to modify the agenda to accommodate the Executive Session at the end of the meeting.

PUBLIC HEARING

Item 1:

DES MOINES CREEK BUSINESS PARK PHASE IV: A PLANNED UNIT DEVELOPMENT IN PACIFIC RIDGE

Staff Presentation: Community Development Manager Denise Lathrop

At 7:18 p.m. Mayor Pina opened the Public Hearing.

Community Development Manager Lathrop gave a power point presentation to Council. Bart Brynestad, Panattoni Development, Todd Schutz, Kraft Architects, and Senior Planner Laura Techico also presented to Council.

One comment letter was received from Washington State Department of Transportation (WSDOT); submitted to the City Clerk to be entered into the record.

Mayor Pina asked if any Councilmembers know(s) of any reason which would require such member to excuse themselves pursuant to Council Rule 15, (Appearance of Fairness Doctrine).

Seeing none, Mayor Pina asked all possible speakers to affirm the truth of their testimony by raising their right hand and responding with "I do."

Mayor Pina then called for those that wished to speak:

- Bart Brynestad, proponent of the project.
- Todd Schutz, proponent of the project.

Mayor Pina asked 3 times if anyone else wished to speak, seeing none Mayor Pina asked administration if there had been any misstatements of fact or whether administration wished to introduce any materials as to subjects raised by the proponents or opponents or alter in any regard its initial recommendations.

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

At 7:48 p.m. Mayor Pina closed the public hearing.

Direction/Action

Motion made by Councilmember Kaplan to suspend City Council Rule 26(a) in order to enact Draft Ordinance No. 17-044 on first reading; seconded by Deputy Mayor Pennington.

The motion passed 6-0.

Motion made by Councilmember Kaplan to enact Draft Ordinance No. 17-044 approving the Planned Unit Development entitled "Des Moines Creek Business Park Phase IV" filed with the Des Moines Planning, Building and Public Works Department under file number LUA2017-0006, subject to the conditions of approval contained therein; seconded by Deputy Mayor Pennington.

The motion passed 6-0.

Mayor Pina read Draft Ordinance No. 17-044 into the record.

CONSENT AGENDA

- Item 1: APPROVAL OF MINUTES
Motion is to approve the minutes from the February 16, 2017 City Council Regular Meeting and the March 2, 2017 City Council Study Session.
- Item 2: SURPLUS PROPERTY DISPOSITION
Motion 1 is to suspend rule 26(a) in order to enact Draft Ordinance No. 17-003 on first reading.

Motion 2 is to enact Draft Ordinance No. 17-003, establishing parameters for the City Manager to declare City property surplus, and for the sale of that surplus property
- Item 3: 4CULTURE LANDMARKS CAPITAL GRANT ACCEPTANCE FOR SUN HOME LODGE RENOVATION PROJECT – FOUNDATION DESIGN
Motion is to accept the 4Culture Landmarks Capital Grant for the Des Moines Beach Park Sun Home Lodge Renovation Project in the amount of \$30,000.00 and authorize the City Manager to sign the Agreement substantially in the form as attached.
- Item 4: INTERLOCAL AGREEMENT WITH SOUTH KING COUNTY FIRE & RESCUE FOR FUEL PURCHASING
Motion is to approve the Interlocal Agreement between the City of Des Moines and South King County Fire & Rescue for the District's purchase of fuel from the City at the City's cost, plus 22% administrative costs, and to direct the City Manager to sign the attached Interlocal Agreement substantially in the form as attached.
- Item 5 APPROVAL OF VOUCHERS
Motion is to approve for payment vouchers and payroll transfers through April 5, 2017 included in the attached list and further described as follows:
- | | | |
|--|--------------------|----------------|
| Total A/P Checks/Vouchers | #149952-150121 | \$ 813,165.94 |
| Electronic Wire Transfers | #845-853 | \$ 341,314.84 |
| Payroll Checks | #18912-18917 | \$ 4,883.82 |
| Payroll Direct Deposit | #00110001-00110150 | \$ 288,918.26 |
| Payroll Checks | #18918-18920 | \$ 3,269.03 |
| Payroll Direct Deposit | #00140001-00140161 | \$ 311,819.61 |
| Total Certified Wire Transfers, Voids, A/P and Payroll Vouchers: | | \$1,763,371.50 |
- Item 6 LANDSCAPE MAINTENANCE CONTRACT WITH NORTHWEST LANDSCAPE SERVICES (NLS) – ADDENDUM
Motion is to approve the Amendment to the Contract with Northwest Landscape Services for City Parks and Right-of-Way Services in the amount of \$50,522.26, bringing the total amount for 2017 to \$184,190.80; and authorize the City Manager to sign said Contract Amendment substantially in the form as submitted.

- Item 7 **SEXUAL ASSAULT AWARENESS MONTH**
Motion is to approve the Proclamation recognizing April as Sexual Assault Awareness Month.

Direction/Action

Motion made by Councilmember Kaplan to approve the Consent Agenda; seconded by Councilmember Nutting.

Deputy Mayor recused himself from Consent Agenda Item #4.

Consent Agenda items 1-3 and 5-7 passed 6-0.

Consent agenda item #4 passed 5-0.

Mayor Pina read Draft Ordinance No. 17-003 into the record.

Mayor Pina read the Sexual Assault Awareness Proclamation into the record.

BOARD AND COMMITTEE REPORTS/COUNCILMEMBER COMMENTS

Deputy Mayor Pennington

- Dick's Drive-In meeting.
- Port of Seattle; Emergency Management.
- Public Safety & Transportation Committee meeting.
- Citizens Advisory Committee meeting.

Councilmember Kaplan

- State Route 509 Transportation meeting.

Councilmember Back

- SCORE meeting.

Councilmember Bangs

- Public Safety & Transportation Committee meeting:
 - Red light camera update.
- State Route 509 update.
- Sound Transit board approval for property acquisition phase.
- Pacific Ridge plan.
- Arts Commission Updates.
- Earth Day April 22nd.
- Samoan Arts dance competition.

Councilmember Nutting

- Finance & Economic Development Committee meeting.

PRESIDING OFFICER'S REPORT

- Richard Procter, Great American Casino.
- Citizens Advisory Committee meeting.

ADMINISTRATION REPORT

- Parks, Recreation & Senior Services Director Thorell briefed Council on Urban Agriculture.

Direction/Action

Motion made by Councilmember Nutting to write a letter on behalf of the City in support of Highline College's grant proposal to the King Conservation District Regional Food System Grant Program for the development of a Sustainable Food Hub at Sonju Park or other appropriate areas; seconded by Councilmember Bangs.
The motion passed 6-0.

- Finance Director Mason gave a brief 2017 financial update to Council.
- Chelsea Levy and Dan Abernathy, with Sound Transit, gave a power point update to Council.

OLD BUSINESS

Item 1:

DRAFT ORDINANCE NO. 17-029 RELATED TO GAMBLING TAXES

Staff Presentation: City Attorney Tim George

City Attorney George gave a brief presentation to Council.

Direction/Action

Motion made by Councilmember Kaplan to suspend Rule 26(a) in order to enact Draft Ordinance No. 17-029 on first reading; seconded by Deputy Mayor Pennington.
The motion passed 6-0.

Motion made by Councilmember Kaplan to enact Draft Ordinance No. 17-029, extending the date for cardrooms to be eligible for the graduated gambling tax schedule to August 31, 2017 and amending the graduated gambling tax structure applicable to public card rooms; seconded by Deputy Mayor Pennington.
The motion passed 6-0.

Mayor Pina read Draft Ordinance No. 17-029 into the record.

NEW BUSINESS

Item 1:

ADDITIONS/CHANGES TO SPECIAL REVENUE FUNDS

Staff Presentation: Finance Director Donyele Mason

Finance Director Mason gave a brief presentation to Council

Direction/Action

Motion made by Councilmember Nutting to suspend Rule 26(a) in order to enact Draft Ordinance No. 17-036 on first reading; seconded by Councilmember Kaplan.
The motion passed 6-0.

Motion made by Councilmember Nutting to enact Draft Ordinance No. 17-036 amending DMMC 3.51.102 to dedicate water and sewer utility franchise payments to the Paving Fund and to create two new special revenue funds in chapter 3.51 DMMC; seconded by Councilmember Kaplan. The motion passed 6-0.

Mayor Pina read Draft Ordinance No. 17-036 into the record.

Item 2: CONSTRUCTION CONTRACT AWARD AND CONSULTING AGREEMENT FOR CONSTRUCTION ADMINISTRATION AND INSPECTIONS SERVICES.
Staff Presentation: Surface Water & Environmental Engineering
Manager Loren Reinhold

Surface Water and Environmental Engineering Manager Reinhold gave a presentation to Council.

Direction/Action

Motion made by Councilmember Kaplan to approve the Public Works Contract with Reed Trucking & Excavating, Inc. for the 16th/17th Place Storm Connections Project, in the amount of \$94,725, authorize a project contingency in the amount of \$10,000, and further authorize the City Manager or his designee to sign said Contract substantially in the form as submitted; seconded by Councilmember Bangs.

The motion passed 6-0.

Motion made by Councilmember Kaplan to approve Task Order 2016-06.01 with Parametrix for the Construction Administration and Inspection Services of the 16th/17th Place Storm Connections Project in the amount of \$27,378.54, and authorize the City Manager or his designee to sign said Task Order substantially in the form as submitted; seconded by Councilmember Bangs. The motion passed 6-0.

Motion made by Councilmember Kaplan to direct administration to bring forward a budget amendment to the 2017-2022 Capital Improvement Plan and the 2017 Capital Budget to include the 16th/17th Place Storm Connections Project as shown in Attachment 5; seconded by Councilmember Bangs. The motion passed 6-0.

Due to time constraints, Old Business Item #2 was moved to the April 27, 2017 City Council meeting.

EXECUTIVE SESSION

At 9:16 p.m. Council went into Executive Session. The purpose of the Executive Session was to discuss the Performance of a Public Employee under RCW 42.30.110(1)(g). In attendance were: Mayor Pina; Deputy Mayor Pennington; Councilmembers Nutting, Bangs, Back and Kaplan; City Manager Matthias and City Attorney George. The Executive Session was expected to last 30 minutes.

At 9:46 p.m. Mayor Pina extended the Executive Session an additional 15 minutes.

At 9:48 p.m. City Manager Matthias left the Executive Session.

The Executive Session ended at 10:01 p.m.

No formal action was taken.

NEXT MEETING

May 11, 2017 City Council Regular Meeting.

ADJOURNMENT

Direction/Action

Motion made by Councilmember Nutting to adjourn; seconded by Deputy Mayor Pennington.

The motion passed 6-0.

The meeting was adjourned at 10:03 p.m.

Respectfully Submitted,
Bonnie Wilkins, CMC
City Clerk

