

**MINUTES
REGULAR MEETING
DES MOINES CITY COUNCIL**

February 24, 2011 - 7:30 p.m.

CALL TO ORDER - Mayor Sheckler called the meeting to order at 7:28 p.m.

PLEDGE OF ALLEGIANCE – The flag salute was led by Councilmember Sherman.

ROLL CALL

Present were Mayor Sheckler; Mayor Pro-Tem Kaplan; Councilmembers Dan Sherman, Matt Pina, Melissa Musser and Carmen Scott.

Councilmember Scott Thomasson was absent. Councilmember Pina moved to excuse Councilmember Thomasson; Councilmember Sherman, second; all the votes were ayes.

Staff present were City Manager Tony Piasecki; City Attorney Pat Bosmans; Assistant City Manager Lorri Ericson; Parks Recreation and Senior Services Director Patrice Thorell; Assistant Director of Transportation and Engineering Dan Brewer; Assistant Director of Utilities and Environmental Engineering Loren Reinhold; Land Use Planner Jason Sullivan; City Clerk Sandy Paul

PRESENTATION BY KING COUNTY COUNCILWOMAN JULIA PATTERSON

King County Councilmember Julia Patterson gave a 'state of the county' presentation.

CORRESPONDENCE

There was no correspondence.

COMMENTS FROM THE PUBLIC:

There were no public comments.

BOARD & COMMITTEE REPORTS/ COUNCILMEMBER COMMENTS

Councilmember Scott

- Reported on the Finance and Economic Development Committee Meeting
- Former Des Moines City Manager Bob Olander will have some of his sculpture work on display at the Northwest Flower and Garden Show this weekend

Mayor Pro-Tem Kaplan

- Attended the AWC City Legislative Action Conference last week meeting representatives from the 30th and 33rd Legislative Districts about policy issues
- Reported on attending the retirement party of former Des Moines City Manager Bob Olander who retired from the City of Shoreline after over 30 years of government service

Councilmember Musser

- Reported that this was the first year Mount Rainier High School has competed in a 4-A sports league
- Spoke about the girls basketball game this weekend and wished them well

Councilmember Pina had no report.

Councilmember Sherman

- Attended a recent public health meeting
- Attended a legislative update presentation and heard about cuts to public health

- Attended the Human Services Advisory Committee meeting

Councilmember Thomasson was absent

PRESIDING OFFICER'S REPORT

Mayor Sheckler

- Attended the AWC City Legislative Action Conference last week and met with representatives from the 30th and 33rd Legislative Districts
- Spoke about the streamlined sales tax
- Announced the City Council would hold its next retreat on Saturday, March 26 at the Activities Center from 9:00 a.m. to 2:00 p.m.

ADMINISTRATION REPORTS

City Manager Piasecki

- Reported that Susan DelBene is the new director of Dept of Revenue. The City has been in contact with her about Streamlined Sales Tax (SST). The City will be meeting with the Department of Revenue later to discuss this issue and others.
- Stated the draft ordinance on Marina District Zoning will be ready for the council to review prior to its March 26 retreat
- Announced the North Twin Bridge is now open both ways

CONSENT CALENDAR

Item 1: APPROVAL OF MINUTES

Motion is to approve minutes from the meeting of February 10, 2011

Item 2: APPROVAL OF FINDINGS:

Motion is to approve Vouchers audited and certified by the auditing officer as required by RCW 42.24.080, and those expense reimbursement claims certified as required by RCW 42.24.090, which have been recorded on a listing and made available to the City Council:

Claim checks **\$662,490.67**

Payroll fund transfers in the total amount of **\$424,385.83**

Total certified Wire Transfers, Voids, A/P & Payroll vouchers are **\$1,086,876.50**

Item 3. Construction Agreement with BOLA for Auditorium Administration

Motion is to approve Amendment #3 to the Agreement for Construction Administration Services between the City of Des Moines and BOLA Corporation in the amount of up to \$24,495, thereby bringing the contract amount including Amendments #1 and #2 to a total of \$198,616, plus a 10% contingency of \$2,450 and authorize the City Manager to sign the Agreement substantially in the form as submitted.

Item 4. Des Moines Field House Park Grandstand Restoration Project Architectural and Structural Services Contract Amendment

Motion is approve an additional contingency of \$1,998.82 for Architectural and Structural Services between the City of Des Moines and David A. Clark Architects, PLLC for restoration of Des Moines Field House Grandstand thereby increasing the original contract amount from \$76,477.28 to \$78,476,10 and authorize the City Manager to sign the Contract Amendment substantially in the form as submitted.

Item 5. Mayor's Reappointment of Louisa Bangs to the City of Des Moines Arts Commission

Motion is to approve the mayoral reappointment of M. Luisa Bangs to a three year term on the Des Moines Arts commission effective January 1, 2011 which will expire December 31, 2013.

Item 6. Settlement Agreement between the City of Des Moines and Stepp/Brazier Motion is to ratify the Settlement Agreement and Release in the matter of the *Estate of Katherine T. Brazier, through Travis Renshaw, Personal Representative, Personally and on Behalf of Lukur Renshaw and Darryll Renshaw; and Douglas Stepp, an Individual, v. City of Des Moines; CH2M Hill, Worth and Associates, LLC; Green City Landscape Services; and Heather Bjorkman and John Doe Bjorkman*, under King County Superior Court Cause No. 09-2-12548 1 KNT.

ACTION/DIRECTION

Councilmember Musser moved approval of the Consent Agenda as presented; Mayor Pro-Tem Kaplan, second. The Consent agenda was approved by a unanimous vote.

NEW BUSINESS

1. Resolution Approving Water District 54 Comprehensive Plan

Assistant Director of Utilities/Environmental Engineering Loren Reinhold provided an update on recent Water District 54 activity.

Water District #54 Contract Engineer Warren Perkins (Gray and Osborne, Inc.) provided Water District Comprehensive Plan overview and *draft* resolution No. 11-029, which the District had been working on since approval of their Comprehensive Plan on February 15.

ACTION/DIRECTION

Mayor Pro-Tem Kaplan moved to approve Draft Resolution No. 11-029 approving the King County Water District #54 2011 Comprehensive Water System Plan. Councilmember Scott, second. The motion passed 5-1. Councilmember Sherman voted no because he had not seen a complete set of documents.

NEW BUSINESS

2. Monetary Penalties for Civil Infractions

City Attorney Pat Bosmans stated that this action was to bring the Des Moines Municipal Code consistent with the mandatory limits set by state law.

ACTION/DIRECTION

Mayor Pro-Tem Kaplan moved suspension of Rule 26(a) in order to enact Draft Ordinance No. 10-021 on first reading. Councilmember Sherman, second. The motion was approved unanimously.

Mayor Pro-Tem Kaplan moved to enact draft Ordinance No. 10-021 relating to monetary penalties for civil infractions and amending DMMC 1.24.190. Councilmember Scott, second. The motion was approved unanimously

EXECUTIVE SESSION

At 8:37 p.m., the City Council recessed to hold an Executive Session for approximately 30 minutes to discuss Pending litigation per RCW 42.30.100 (A). Present were Mayor Bob Sheckler; Mayor Pro-Tem Dave Kaplan; Councilmembers Dan Sherman, Matt Pina, Melissa Musser and Carmen Scott; Staff present were City Manager Tony Piasecki; City Attorney Pat Bosmans; Assistant City Manager Lorri Ericson. The City Council Meeting was reconvened at 9:02. No Action was taken.

NEXT MEETING DATE – March 10, 2011

ADJOURNMENT

Mayor Pro-Tem Kaplan moved to adjourn; Councilmember Sherman, second. The vote to adjourn was unanimous. The meeting was adjourned at 9:05.

Respectfully submitted,
Sandy Paul CMC
City Clerk