

**MINUTES
REGULAR MEETING
DES MOINES CITY COUNCIL
September 1, 2011 - 7:30 p.m.**

CALL TO ORDER - Mayor Sheckler called the meeting to order at 7:30 p.m.

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

ROLL CALL

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

Councilmember Matt Pina, was absent. Councilmember Scott moved to excuse Councilmember Pina; Mayor Pro-Tem Kaplan, second; the motion passed unanimously.

Staff present were City Manager Tony Piasecki; City Attorney Pat Bosmans; Assistant City Manager Lorri Ericson; Planning Building and Public Works Director Grant Fredricks; Interim Police Chief John O’Leary; Parks Recreation and Senior Services Director Patrice Thorell; Planning Manager Denise Lathrop; CIP Project Manager Scott Romano; Policy Analyst Sue Anderson; City Clerk Sandy Paul

COMMENTS FROM THE PUBLIC:

Vernina Staab, 21628 28th Avenue South, spoke about crime on Pacific Ridge.

BOARD & COMMITTEE REPORTS/ COUNCILMEMBER COMMENTS

Councilmember Scott

- The Municipal Facilities Committee made a road trip to Olympia and Edmonds to study their respective City harbors
- Events coming up: Poverty Bay Arts and Blues and Brews Festivals on September 10; Des Moines Family Fun at Beach Park on September 14
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Mayor Pro-Tem Kaplan

- The Public Safety and Transportation (PS&T) Committee reviewed Beach Park/Street Pavement ballot measure; School Zone Speed Enforcement; Transportation Project Updates; Collision Report; and the 2012 CIP
- Attended a meeting regarding location of a Sound Transit Link Light Rail station at South 200th Street

ACTION/DIRECTION

- Moved to direct staff to prepare a resolution for City Council consideration to support a Federal *Transportation Investment Generating Economic Recovery* (TIGER) grant, second by Carmen; motion passed, 6-0

Councilmember Musser

- Highline Healthy Community Coalition discussed food landscapes in local cities and access to healthy foods.
- Met with Highline School District, Normandy Park, Sea-Tac, and Burien regarding joint use of City parks
- Thanked staff for Marina tours on the 25th and all the hard work done to make that trip happen.

Councilmember Sherman

- Was impressed by the Olympia and Edmonds marina tours especially Olympia, which ran into problems similar to what Des Moines is currently encountering. It appeared to him that looking for a developer to handle large parcels isn’t working either here or in Edmonds. He suggested a stronger marketing strategy.

ADMINISTRATION REPORTS

- Water District 54 will be breaking ground on their project this month
- The SCORE facility was granted its Certificate of Occupancy

- Consent Agenda item 6: Motion #1 only will be read. The contingency plan would be, if there are funds remaining at the end of the project to pay for alternate 2 first, then alternate 1.

CONSENT CALENDAR ITEMS:

Item 1: APPROVAL OF MINUTES

Motion is to approve the minutes of the meeting of August 11, 2011.

Item 2: TRANSPORTATION GATEWAY PROJECT: 24TH AVENUE SOUTH CONSTRUCTION EASEMENT & RIGHT OF ENTRY FOR MENDOZA TAX PARCEL #092204-9188

Motion is to approve and accept Construction Easement and Right of Entry permission from Jose & Eustolia Mendoza at no direct cost and further to authorize the City Manager to sign said document substantially in the form as submitted on behalf of the City of Des Moines.

Item 3.: TRANSPORTATION GATEWAY PROJECT: 24TH AVENUE SOUTH CONSTRUCTION EASEMENT & RIGHT OF ENTRY FOR DIEGO & ASUNCION TAX PARCEL #092204-9189, PROJECT PARCEL #63

Motion is to approve and accept Construction Easement and Right of Entry permission from Artemio Diego and Susan Asuncion at no direct cost and further to authorize the City Manager to sign said document substantially in the form as submitted on behalf of the City of Des Moines.

Item 4: TRANSPORTATION GATEWAY PROJECT: S. 216TH STREET RIGHT OF WAY ACQUISITION: ROSALIE MATT FAMILY TRUST, TAX PARCEL 092204-9252 & PROJECT PARCEL #8

Motion is to approve the purchase of 430 square feet of land from the Rosalie Matt Family Trust in the amount of \$1,844.70, a 235 square foot Slope Easement in the amount of \$252.04, and compensation for improvements of \$250 for a grand total of \$2,347 (*rounded to nearest dollar*), plus closing costs, and further to authorize the City Manager to sign the Statutory Warranty Deed, Slope Easement, Construction Easement & Right of Entry and Real Voucher Property Agreement substantially in the form as submitted and accept the right of way on behalf of the City of Des Moines.

Item 5. MAYORAL APPOINTMENT TO THE ARTS COMMISSION

Motion is to approve the Mayoral appointment of W. Scott Eliason to the Des Moines Arts Commission effective immediately, to fill a vacant 3 year term which expires on December 31, 2013.

Item 6. AWARD OF BID - BEACH PARK DINING HALL DECK

Motion 1 is to authorize the award of the contract for construction services for the Des Moines Beach Park Dining Hall Decking Project to Western Ventures Construction, Inc., to include the Base Bid: Bid Schedule A and Bid Schedule B for a total project cost of \$293,460, plus a 10% contingency, and to authorize the City Manager to sign said contract substantially in the form as submitted OR

ACTION/DIRECTION

Councilmember Scott pulled Item 6. Councilmember Sherman moved to approve the remainder of the Consent Agenda; Mayor Pro-Tem Kaplan, second. The motion was approved 6-0.

Discussion followed

Councilmember Scott moved to authorize the award of the contract for construction services for the Des Moines Beach Park Dining Hall Decking Project to Western Ventures Construction, Inc., to include the Base Bid: Bid Schedule A and Bid Schedule B; and Bid Alternative #2 for \$14,564 for a total project cost of \$308,024 ,plus a 5% contingency, and to authorize the City Manager to sign said contract substantially in the form as submitted. Councilmember Musser, second. The motion was passed by a unanimous vote, 6-0.

OLD BUSINESS

1. Draft Ordinance No. 11-069, Electric Vehicle Infrastructure
Planning Manager Denise Lathrop made a presentation that included answers to the questions that the City Council had asked at the July 28, 2011 meeting.

Mayor Pro-Tem Kaplan moved to adopt Draft Ordinance No. 11-069 entitled Electric Vehicle Infrastructure and amending Chapter 16.04 DMMC. Councilmember Musser, second. Councilmember Sherman moved to amend the motion as follows: *Permitted Locations: Level 1, 2, and 3 electric vehicle charging stations are allowed in all zoning designations. Electric vehicle charging stations are not permitted within the City right-of-way.*

The amendment was acceptable to both maker, Mayor Pro-Tem Kaplan, and seconder, Councilmember Musser, of the original motion. The vote was 6-0 to approve the motion as amended. The motion passed.

2. Policy Direction on 2011 Comprehensive Plan Amendments
Planning Manager Denise Lathrop was seeking Council direction following a policy discussion of several Comprehensive Plan amendments for 2011.

ACTION/DIRECTION

The **North Central Neighborhood (NCN)**, a combination of several different concepts, need more careful discussion than can be given in the remaining months of 2011. Consensus was to move the NCN Subareas topic to the 2012 Comprehensive Plan amendment discussions.

The Council was divided on the **HEAL/Healthy Des Moines Initiative**. The Council came to consensus on preferring Option #2. Every attempt will be made to finalize that discussion in 2011.

The Municipal Facilities Committee is working with a consultant on **Marina District Element** to assist in making wise decisions. Not wishing to start another process (proposing changes to the Marina District Element incorporating recent Council approved changes) while this is on-going, the Council added discussion of this item to the 2012 Comprehensive Plan amendments.

The **Housing Element** request was from the SeaMar Project. There is an established obligation to work on the project this year. Next steps: proceed with Comprehensive Plan amendment (keeping in mind all City Councilmembers' comments) and anticipate a Redevelopment Agreement related to SeaMar in October, A Planning Agency Public Hearing will be held on October 3, 2011 followed by a City Council Public Hearing on October 27, 2011.

BREAK

Mayor Sheckler called for a ten minute break at 9:05 p.m. The meeting reconvened at 9:15 p.m.

NEW BUSINESS

1. Draft Ordinance No. 11-135 Repeal of Chapter 1.20 DMMC, *Public Records* to Adopt an Updated Public Records Policy Draft Resolution No. 11-150 adopting the City's Public Records Policy and indexing and records management policy; and designating an Acceptance Agent for Public Record Requests pursuant to chapter 42.56 RCW.

ACTION/DIRECTION

Mayor Sheckler moved to reschedule the discussion on public records to September 8, 2011, to allow the City Council to review new information; Councilmember Thomasson, second. The vote was 5-1. The motion passed. Councilmember Sherman voted *no*.

2. Consultant Report/Retail Study for DMCBP
Ravenhurst Consultant Darrel Branch spoke to the Council about the kinds of businesses that are feasible in Des Moines and specifically at the Des Moines Creek Business Park. No action was taken.

3. Financial Paperwork for the Energy Grant
Planning Building Public Works Director Grant Fredricks explained that any contract or resolution with the State of Washington regarding this or any grant is somewhat inflexible. Up to \$135,000 would be borrowed from a fund for

energy improvements, the debt service for which would come from potential future energy savings. The ordinance would allow the City to enter into the contracts with the state and borrow the additional money needed. The resolution allows the City to request retroactive payment for expenses already incurred

ACTION/DIRECTION

Mayor Pro-Tem Kaplan moved to suspend City Council Rule 26 (A) in order to adopt Draft Ordinance Number 11-175 on first reading; Councilmember Musser, second. The motion passed 6-0.

Mayor Pro-Tem Kaplan moved to approve Draft Ordinance 11-175 authorizing the City to borrow up to \$135,000 for partial funding of the City Wide Energy Savings Project; Councilmember Musser, second. The motion passed 6-0.

Mayor Pro-Tem Kaplan moved to approve Draft Resolution 11-175 to allow cost recovery for the prior 60-days for energy savings project costs; Councilmember Sherman, second. The motion passed 6-0.

4. Draft Resolution No. 11-176, establishing a Sister City affiliation policy for the City of Des Moines Draft Resolution No. 11-174; and establishing Changle City, in Fujian Province, as Des Moines' Sister City

The Mayor of Changle is interested in a sister city relationship for exchanging students. Both cities have some similar characteristics in their harbors and colleges. Neither of these resolutions requires membership in the Sister City Association. Funds expended are private and raised as donations or through fundraisers.

ACTION/DIRECTION

Mayor Sheckler moved to adopt Draft Resolution No. 11-176 establishing a Sister City Affiliation Policy for the City of Des Moines; Councilmember Kaplan, second. The vote was 4-2. The motion passed. Councilmembers Sherman and Thomasson voted *no*.

Mayor Sheckler moved to adopt Draft Resolution No. 11-174 establishing the City of Changle, in the Fujian Province, as Des Moines' sister city; Councilmember Musser, second. The motion passed 4-2. Councilmembers Sherman and Thomasson voted *no*.

NEXT MEETING DATE – September 8, 2011 City Council Regular Meeting

ADJOURNMENT

The meeting was adjourned at 10:30 p.m.

Respectfully submitted,

Sandy Paul CMC
City Clerk