

## MINUTES

### REGULAR MEETING DES MOINES CITY COUNCIL

March 22, 2012 - 7:30 p.m.

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

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

#### ROLL CALL

Present were Mayor Dave Kaplan; Mayor Pro-Tem Matt Pina; Councilmembers Dan Caldwell, Melissa Musser, Jeanette Burrage, Bob Sheckler and Carmen Scott.

Staff present were City Manager Tony Piasecki; City Attorney Pat Bosmans; Assistant City Manager Lorri Ericson; Assistant City Attorney Tim George; Planning Building and Public Works Director Grant Fredricks; Finance Operations Manager Cecilia Pollock; Harbormaster Joe Dusenbury; Parks Recreation and Senior Services Director Patrice Thorell; Assistant Director of Utilities and Environmental Engineering Loren Reinhold; Planning Manager Denise LathropCIP Project Manager Scott Romano; Economic Development Manager Marion Yoshino; Policy Analyst Sue Anderson; City Clerk Sandy Paul

#### COMMENTS FROM THE PUBLIC:

Forrest Jones, 2025 South 231<sup>st</sup>, spoke about stopping pornography in Des Moines and asked for City Council assistance.

Gene Achziger, 28708 Redondo Drive South, spoke in support of a *Cape Cod* design element proposed for inclusion in the Marina District Design Guidelines.

#### BOARD & COMMITTEE REPORTS/ COUNCILMEMBER COMMENTS

Councilmember Scott

- Reported that the Municipal Facilities Committee met at Beach Park on March 22 and reviewed unfinished projects in the Park's facilities
- Reported that the Marina Planning Stakeholder's Group has met. A second meeting will take place Monday March 26

Councilmember Sheckler

- Quoted from his book *The 776 Stupidest Things Ever Said*.

Mayor Pro-Tem Pina

- Commented on a note received from Fire Chief Al Church and he thanked fire personnel for their excellent service and dedication
- Met with Councilmember Musser and the Highline Communities Coalition. He called the group a 'think tank'. A joint resolution will be presented to the City Council on April 5.

Councilmember Musser

- Thanked Councilmember Scott for taking over the Municipal Facilities Committee meeting when she got stuck at work
- Stated she left the Highline Communities Coalition meeting held on March 15 thoroughly energized
- The Marina/Business Park Group will tour the Park and Marina on Monday, March 26
- No sports report because spring sports have started but spring has not

#### PRESIDING OFFICER'S REPORT

- Attended SKTBD meeting regarding allocation of money for local and joint projects through the Puget Sound Regional Council

#### ADMINISTRATION REPORTS

- City Manager Piasecki reported that this week's Council agenda packet is digitized and available electronically
- Presentation on Healthy Des Moines – Katy Bell, Seattle King County Public Health, Policy Analyst Sue Anderson, and Parks Recreation Senior Service Patrice Thorell presented a program on the accomplishment of the Healthy Des Moines project, which began two years ago as the HEAL Grant. The City Council joined the presenters to receive an award. Photos were taken.

#### CONSENT CALENDAR

Item 1: APPROVAL OF MINUTES

Motion is to approve minutes from the regular meetings of March 1, 2012

Item 2: APPROVAL OF VOUCHERS

Motion is to approve for payment those vouchers and payroll transfers included in the above list and further described as follows:

Claim checks **\$620,541.77**

Payroll fund transfers in the total amount of \$ **420,876.80**

Total certified Wire Transfers, Voids, A/P & Payroll vouchers are **\$1,041,418.57**

Item 3: TRANSPORTATION GATEWAY PROJECT: 216<sup>TH</sup> AVE S RIGHT-OF-WAY  
ACQUISITION: PARK (FORMERLY HESS) PARCEL #70

Motion 1: to rescind Des Moines City Council Motion, Consent Calendar Item #5, approved during open public on December 8, 2011, to purchase property from Douglas and Lynette Hess.

Motion 2: to approve the purchase 280 square feet of land from Hea Sook Park in the amount of \$1201.20, a 275 square foot Slope Easement in the amount of \$294.94 and Statutory Evaluation Allowance in the amount of \$150 for a grand total of \$1,646.00 (*rounded to nearest dollar*) plus closing costs, and further authorize the City Manager to sign the Statutory Warranty Deed, Slope Easement, Construction Easement, and Real Property Voucher substantially in the form as submitted and accept the right of way on behalf of the City of Des Moines.

Item 4: TRANSPORTATION GATEWAY PROJECT: 24<sup>TH</sup> AVE S RIGHT-OF-WAY  
ACQUISITION: MANGRUM – PARCEL #14

Motion is to purchase 450 square feet of land from estate of Carl Mangrum in the amount of \$4,347.00, a 150 square foot Slope Easement in the amount of \$362.25; compensation for

improvements of \$675 and a \$200 administrative settlement for a grand total of \$5,584. (*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:                   BARNES CREEK 223<sup>RD</sup> CULVERT: CONTRACT AWARD; HIGHLINE WATER DISTRICT ILA; TETRA TECH CONSULTANT AMENDMENT

Motion 1 is to approve the interlocal agreement with Highline Water District for the inclusion of the District's water main replacement as part of the South 223<sup>rd</sup> Culvert Replacement Project and further to authorize the City Manager to sign said agreement substantially in the form as attached.

Motion 2 is to move to award the construction contract for the South 223<sup>rd</sup> Culvert Replacement to MVG, LLC in the amount of \$190,881.50, plus a 10% contingency and further to authorize the City Manager to sign said contract.

Motion 3 is to move to supplement the existing consultant contract with Tetra Tech, Inc., to include construction management services, in the amount of \$32,369.00, bringing the total amount of the contract to \$312,741.00, authorize the City Manager to approve additional supplements as necessary up to \$4,000.00 for the entire contract, and to authorize the City Manager to sign said supplement substantially in the form as attached.

Councilmember Sheckler moved to adopt the Consent Agenda as presented; Mayor Pro-Tem Pina, second. The motion passed, 7-0.

Regarding Consent Agenda Item 4, Mayor Kaplan reported that during the period when the City was working with Carl Mangrum , who was ill, he became unable to sign papers and passed away before the right of way acquisitions could be completed. The family produced power of attorney to accept the City's offer. Following recommendations of the Right of Way consultant, the executors reproduced the documents so that those papers could be signed in a timely manner. Mayor Kaplan extended the City's condolences to the family.

#### EXECUTIVE SESSION

The Council recessed for Executive Session at 8:10 p.m. for approximately 10 minutes to discuss a litigation settlement per RCW 42.30.110 (1)(i). The Council meeting reconvened at 8:20 p.m.

NEW BUSINESS was discussed prior to OLD BUSINESS to accommodate the schedule of Lindsay Sovde, an outside contractor.

#### 1. First Reading of Bond Ordinance – LTGO Refunding Bonds 2012

The Staff Presentation was by Lindsay Sovde, Seattle NW Securities, the City's bond underwriter. The City of Des Moines is seeking to refinance bonds issued in 2002 for a savings in interest and debt service of \$20k annually.

Councilmember Caldwell moved to pass Draft Ordinance No. 12-034 providing for the sale and issuance of Limited Tax General Obligation Refunding Bonds, 2012 (issue size depends upon market pricing), to provide funds to advance refund the City's Limited Tax General Obligation and Refunding Bonds, 2002, to a second reading for enactment on April 5, 2012; second by Councilmember Sheckler. The motion passed 7-0.

OLD BUSINESS

1. Marina District Design Theme Policy Discussion

Planning Manager Denise Lathrop provided information and photographic examples of the look of the Cape Cod style, and provided a reminder of the work the Council has already done to retool the Des Moines Municipal Code (DMMC) to provide flexibility for the Marina District.

Following discussion, Councilmember Sheckler moved to establish a 'Cape Cod' design theme for the Marina District Neighborhood; Mayor Pro-Tem Pina, second. The motion passed 5-2. Councilmembers Scott and Burrage voted *no*.

Councilmember Sheckler moved to remand the Design Guidelines to the Economic Development Committee for additional work and to address potential challenges and Councilmember concerns; Councilmember Musser, second. The motion passed, 7-0

NEXT MEETING DATE – March 29, 2012, City Council Regular Meeting

ADJOURNMENT

There being no further business to come before the City Council, Mayor Pro-Tem Pina moved to adjourn; Councilmember Sheckler, second. The motion passed 7-0.

Respectfully submitted,

Sandy Paul CMC  
City Clerk