

MINUTES

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

September 27, 2012 - 7:00 p.m.

CALL TO ORDER - Mayor Pro-Tem Pina called the meeting to order at 7:00 p.m.

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

ROLL CALL

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

Mayor Dave Kaplan was absent. Councilmember Scott moved to excuse Mayor Kaplan; Councilmember Musser, second; all the votes were ayes.

Staff present were City Manager Tony Piasecki; City Attorney Pat Bosmans; Assistant City Manager Lorri Ericson; Planning Building and Public Works Director Grant Fredricks; Commander Kevin Tucker; Finance Director Paula Henderson; Finance Operations Manager Cecilia Pollock; 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; Planning Manager Denise Lathrop; CIP Project Manager Scott Romano; Economic Development Manager Marion Yoshino; City Clerk Sandy Paul

BOARD & COMMITTEE REPORTS/ COUNCILMEMBER COMMENTS

Councilmember Scott

- Reported on the Farmer's Market Board meeting. Market attendance and sales are double those of last year when the Market took place at the south end of the Marina

Councilmember Sheckler

- No report, however, he offered the following motion:

ACTION/DIRECTION

Councilmember Sheckler moved to reconsider Ordinance #1549 adopted by the City Council on September 13, 2012, relating to a gambling tax imposed on public card rooms; second by Councilmember Musser. The motion passed. The vote was 6-0.

The matter will appear under Old Business at the City Council meeting on October 4, 2012.

Councilmember Burrage

- Attended the Lantern Festival in Burien.
- Had no report on the South King County Transportation Board (SKTBD) meeting which was changed to accommodate the candidates forum which took place on the same day

Councilmember Musser

- Reported on the Sept 18 Marina/Beach Park Committee meeting and said the next community open house is October 3, 2012 from 6:00 to 8:00 p.m. at the Activities Center
- Reported on the Municipal Facilities Committee meeting
- Reminded everyone to register to vote. The deadline to do so is fast approaching.

Councilmember Caldwell

- Commended the way all the committees work together as a team

PRESIDING OFFICER'S REPORT

- Mayor Pro-Tem Pina reported the Finance and Economic Development Committee met September 25
- Spoke about the Spirit of Des Moines Award which recognizes the civic efforts and accomplishments of citizens and organizations. The City Council is accepting nominations until October 15.
- The Mayor must pick the committee to review nominations for the Spirit of Des Moines Award to include 9 people. Two of them will be the mayor and one councilmember and 7 community members. Councilmember Scott volunteered to be the designated councilmember on the selection committee

ADMINISTRATION REPORTS

- When the City entered into a development agreement with the port there was an option for the City to purchase an option on another large portion of the property for retail. Response has not been favorable and the preference is to locate on Pacific Highway. Therefore, the recommendation is to not encourage retail there. The deadline would be allowed to pass. Next steps will be discussed at an upcoming meeting.
- On Tuesday afternoon the Port of Seattle Commission held their meeting in Council Chambers discussing small business issues
- The Senior Services Advisory Committee Annual Report was presented by John McEvoy and Jo Martin

CONSENT CALENDAR

Item 1: APPROVAL OF MINUTES

Motion is to approve the minutes of the meetings of September 6 and 13, 2012.

Item 2: APPROVAL OF VOUCHERS

Motion is to approve for payment vouchers and payroll transfers described as follows:

Claim checks **\$715,878.68**

Payroll fund transfers in the total amount of **\$433,680.95**

Total certified Wire Transfers, Voids, A/P & Payroll vouchers are **\$1,149,559.63**

Item 3: CONSTRUCTION AGREEMENT WITH PSE FOR UTILITY UNDERGROUNDING FOR THE SOUTH 216TH STREET PROJECT (SEGMENT 2: 18TH AVENUE SOUTH TO 24TH AVENUE SOUTH)

Motion is to approve the Schedule 74 Project Construction Agreement with Puget Sound Energy for Underground Conversion on the South 216th Street Project (Segment 2: 18th Avenue South to 24th Avenue South), and further authorize the City Manager to sign the Agreement, substantially in the form as submitted.

Item 4: JOINT UTILITY TRENCH AGREEMENT WITH COMCAST FOR THE SOUTH 216TH STREET PROJECT (SEGMENT 2: 18TH AVENUE SOUTH TO 24TH AVENUE SOUTH)

Motion is approve the attached Joint Trench Utility Agreement with Comcast for the utility undergrounding improvements of the South 216th Street Project (Segment 2: 18th Avenue South to 24th Avenue South), and further authorize the City Manager to sign the Agreement, substantially in the form as submitted.

Item 5: JOINT UTILITY TRENCH AGREEMENT WITH CENTURY LINK FOR THE SOUTH 216TH STREET PROJECT (SEGMENT 2: 18TH AVENUE SOUTH TO 24TH AVENUE SOUTH)

Motion is approve the attached Joint Trench Utility Agreement with Century Link for the utility undergrounding improvements of the South 216th Street Project (Segment 2: 18th Avenue South to 24th Avenue South), and further authorize the City Manager to sign the Agreement, substantially in the form as submitted.

Item 6: JOINT UTILITY TRENCH AGREEMENT WITH HIGHLINE WATER DISTRICT FOR THE SOUTH 216TH STREET PROJECT (SEGMENT 2: 18TH AVENUE SOUTH TO 24TH AVENUE SOUTH)

Motion is approve the Interlocal agreement between the City of Des Moines and Highline Water District regarding improvements for the South 216th Street Project (Segment 2: 18th Avenue South to 24th Avenue South), and further authorize the City Manager to sign the Agreement, substantially in the form as submitted.

Item 7: DRAFT RESOLUTION NO. 12-167 SETTING THE PUBLIC HEARING ON 2012 COMPREHENSIVE PLAN AMENDMENTS

Motion is to adopt Draft Resolution No. 12-167 setting a public hearing on October 25, 2012 to consider Draft Ordinance 12-168 amending the 2009 Des Moines Comprehensive Plan and Chapter 18.84 DMMC.

ACTION/DIRECTION

Councilmember Musser moved adoption of the Consent Agenda; Councilmember Burrage, second. The motion passed, 6-0.

OLD BUSINESS

1. MULTI-FAMILY TAX EXEMPTION MODIFICATION ORDINANCE

Economic Development Manager Marion Yoshino recapped work to date on the Multi-Family Tax Exemption Modification Ordinance, which incorporated past City Council comments.

ACTION/DIRECTION

Councilmember Musser moved to suspend Rule 26(a) to pass Draft Ordinance No. 12-171 on first reading; Councilmember Scott, second. The motion passed 6-0.

Councilmember Musser moved to enact Draft Ordinance No. 12-171 amending DMMC 3.96.040, the Multifamily Tax Exemption Code; Councilmember Scott, second. The motion passed 6-0.

Mayor Pro-Tem Pina read the title of the ordinance into the record

2. REDONDO PIPE PROJECT CONTRACT AMENDMENTS

Director of Utilities and Environmental Engineering Loren Reinhold showed slides depicting the challenges of finding wood debris (logs and stumps) under the street surface of this project since it began in July 2012. Finding the wood debris has caused cost overruns, even though the contractor has gone over and above what was expected in the original bid award. A neighboring condominium is also reassessing its budget as costs have exceeded their budgeted amounts to cover their portion of the expenses.

ACTION/DIRECTION

Councilmember Musser moved to approve additional spending authority in the amount of \$272,043.31 for the construction contract for the Redondo Heights Culvert Replacement Project up to a maximum contract amount of \$640,000.00 to cover unforeseen project expenditures and reimbursable expenses for the replacement of a water main by the Lakehaven Utility District; Councilmember Scott, second. The motion passed 6-0.

Councilmember Musser moved to approve the on-call Task Order Assignment 2012-02 with Parametrix in the amount of \$5,874.04 bringing the total under contract with Parametrix for this project

to \$86,325.19, and authorize the City Manager to sign said task order; Councilmember Scott, second. The motion passed 6-0.

Councilmember Musser moved to approve the Interlocal agreement with Lakehaven Utility District for the inclusion of the District's water main replacement as part of the Redondo Heights Culvert Replacement Project, and authorize the City Manager to sign said agreement substantially in the form as submitted; Councilmember Scott, second. The motion passed 6-0.

Councilmember Musser moved to direct Administration to submit a \$228,200.00 2012 CIP budget amendment for the Redondo Heights Culvert Replacement Project; Councilmember Scott, second. The motion passed 6-0.

Councilmember Sheckler left the meeting at 8:05 p.m.

NEW BUSINESS

1. 2013 GENERAL & STREET FUNDS REVENUE ESTIMATES

Finance Director Paula Henderson showed a succession of graphs and charts depicting revenues and their sources, comparing them to recent years and showing how those revenues have mostly decreased leading up to and during 2012. They are expected to decline further in 2013.

ACTION/DIRECTION

This item was for discussion only. No action was intended.

2. TRANSPORTATION CAPITAL IMPROVEMENT PROJECT BUDGET

Assistant Director of Transportation and Engineering Dan Brewer told the council it had been a good year with \$16 million in grant funds received. Four remaining grants could be awarded this year for an additional \$2.5 million. He outlined some of the projects those grant funds could be used to construct, including the South 216th Street Project, Segment 2.

ACTION/DIRECTION

This item was for discussion only. No action was intended.

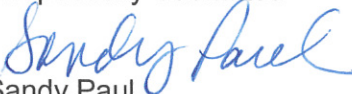
NEXT MEETING DATE October 4, 2012, City Council Regular Meeting

ADJOURNMENT

There being no further business to come before the City council, Councilmember Caldwell moved to adjourn; Councilmember Burrage second. The motion passed. The vote was 5-0.

The meeting was adjourned at 8:50 p.m.

Respectfully Submitted


Sandy Paul
City Clerk