MINUTES
REGULAR MEETING
DES MOINES CITY COUNCIL
January 6, 2011 - 7:30 p.m.

CALL TO ORDER - Mayor Sheckler called the meeting to order at 7:29 p.m.

PLEDGE OF ALLEGIANCE – The flag salute was led by Mayor Pro-Tem Kaplan.

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

Councilmember Carmen Scott was absent. Councilmember Pina moved to excuse Councilmember Scott; Mayor Pro-Tem Kaplan, 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; Interim Police Chief John O'Leary; Finance Director Paula Henderson; City Clerk Sandy Paul

CORRESPONDENCE
There was no correspondence to report.

COMMENTS FROM THE PUBLIC:
Pete Daigle, 20130 Marine View Drive, Normandy Park, commented about the *Rosie* incident and asked where do we go from here?

Vic Wright, 13600 126th Avenue SE, Auburn, spoke against the Des Moines police regarding the *Rosie* incident.

Didi Law, 19909 Marine View Drive, Normandy Park, read a letter from Emilou Tucker against Des Moines Police Officers not only for the *Rosie* incident but for asking for the Mayor's resignation.

BOARD & COMMITTEE REPORTS/ COUNCILMEMBER COMMENTS
Councilmember Scott was absent.

Mayor Pro-Tem Kaplan had no report.

Councilmember Musser
- Attended the Healthy Highline Community Coalition in Councilmember Pina's place, where *policy* vs *program* was discussed
- Commented about the Safe Routes to Schools Grant

Councilmember Pina
- Asked if another Councilmember could attend the Suburban Cities Public Issues Committee meeting for him on January 12
- He thanked Councilmember Musser for taking his place at the Healthy Highline Community Coalition meeting

Councilmember Sherman
- Commented on a mailer he had received from the Kent Chamber referring to Highline Community College as *west* Kent!
- Attended the Suburban Cities meeting
- Requested that voters speak to their representatives to support and fund state healthcare initiatives

- Attended a meeting about Howard Hansen Dam and reported that not only were repairs substantially complete but that sandbags and HESKO walls would not be removed until after one full season following repairs in order to determine seepage at the dam was stopped

Councilmember Thomasson

- Reported that the ad-hoc Franchise Committee had met and discussed the solid waste contract and franchises for both Lakehaven Utility and Water District 54

PRESIDING OFFICER'S REPORT

- Mayor Sheckler commented that he would meet with the Police Guild tomorrow and would be joined by Councilmember Musser

ADMINISTRATION REPORTS
There were no administrative reports.

CONSENT CALENDAR

Item 1: APPROVAL OF MINUTES
Motion is to approve minutes from the regular meetings of December 2, 9, and 16, 2010, and the Special Meeting to hold an Executive Session of December 2.

Item 2: LOCAL GOVERNMENT INVESTMENT POOL
Motion is to adopt Draft Resolution No. 10-213, authorizing deposit or withdrawal of funds in the Local Government Investment Pool in accordance with the provisions of the Washington Administrative Code for the purpose of investment as stated in the Washington Administrative Code, describing the names and titles of the officials authorized to order deposit or withdrawal of funds, and superseding Resolution No. 775.

Item 3: DES MOINES POLICE MANAGEMENT ASSOCIATION COLLECTIVE BARGAINING AGREEMENT (CBA)
Motion is to adopt draft Resolution 11-001, approving the collective bargaining agreement between the Des Moines Police Management Association and the City of Des Moines and authorizing the City Manager to sign it substantially in the form as submitted.

Councilmember Thomasson pulled item 2. Councilmember Sherman's *yes* vote to approve the remaining consent agenda assumes corrections will be made to the December 2, 2010 minutes and his vote will not be voting to approve item 3 because he has not been part of those discussionsf.

Councilmember Musser noted that she was, in fact, present at the December 2, 2010, Executive Session. Councilmember Sherman noted that at the December 2, 2010 meeting, Mayor Sheckler left the meeting and Mayor Pro-Tem Kaplan took over.

ACTION/DIRECTION
Motion to adopt the Consent Agenda Item 1, as corrected, and Item 3, was made by Councilmember Musser and second by Mayor Pro-Tem Kaplan. The vote was 5-0 to approve.

Councilmember Pina moved to postpone Item #3 to the next available meeting date to allow for research into the requirements of the Washington Acceptance Code (WAC) pertaining to naming a person in authority to transact business with LGIP. Councilmember Thomasson, second. The vote was 5-1 to approve the motion; Mayor Pro-Tem Kaplan voted *no*.

EXECUTIVE SESSION
The Council recessed to the Conference Room to hold an executive session at 8:10 p.m. for the purpose of discussing potential litigation per RCW 42.30.110 (l)(i) and labor negotiations per RCW 42.30.140 (4)(a) for no more than 20 minutes. Mayor Sheckler called the meeting to order at 8:12 p.m.

Present were Mayor Sheckler; Mayor Pro-Tem Kaplan; Councilmembers Scott Thomasson, Dan Sherman, and Melissa Musser. Staff present were City Manager Tony Piasecki; City Attorney Pat Bosmans; Assistant City Manager Lorri Ericson.

At 8:14 p.m. Councilmember Matt Pina, joined the meeting. At 8:16 p.m. City Attorney Pat Bosmans left the meeting and the discussion changed to labor negotiations. Mayor Sheckler left the meeting at 8:20 p.m. The meeting adjourned at 8:24 p.m.

The City Council was called back to order at 8:30 p.m.

OLD BUSINESS

1. Council Rules

City Manager Tony Piasecki pointed out some new wording to item #5 that he had been asked to put together by the Council Rules Committee.

Mayor Pro-Tem Kaplan moved to adopt Draft Resolution No. 10-088 adopting changes to the City Council Rules of Procedure and keeping the changes inserting the changes to Rule 5(b) and (c) as proposed by the City Manager. Councilmember Musser, second. The vote was 5-1 to approve the motion; Councilmember Sherman voted no because he felt the City Manager and not the Mayor should be the public information officer for the City.

NEW BUSINESS

1. Intergovernmental Policies and Positions

City Manager Tony Piasecki presented the City's annual review of the various positions the City takes on issues that affect the City and how they relate to other cities, the county, the state and the federal government. The 2011 AWC legislative priorities were also included.

Councilmember Sherman recommended the following additions:

- Add 'cc' under *State of Washington* stating Des Moines supports state tax policies that assist cities in meeting infrastructure needs for new development in airport noise impacted areas
- Add 'dd' under *State of Washington* that says Des Moines supports amendments to binding interest arbitration criteria as outlined in AWC 2011 priorities
- Add 'ee' under *State of Washington,* Des Moines supports AWC 2011 proposals to manage public records requests

Mayor Pro-Tem Kaplan recommended the following changes:

- Remove under B *Intergovernmental Positions* (1)(c)(6)
- Remove under B *Intergovernmental Positions* (1)(h)
- Remove 4 (m) under *Interjurisdictional and Regional*
- Add under *Interjurisdictional and Regional* The city opposes any proposal extending cross valley extension any further than Southbound I-5/SR509 proposed Right-of-Way

ACTION/DIRECTION

Mayor Pro-Tem Kaplan moved to adopt the 2011 Intergovernmental Policies and Positions as revised by the City Council. Councilmember Thomasson, second. The vote was 6-0 to approve.

2. City of Des Moines Police Guild Letter to Mayor Sheckler dated December 27, 2010

This item was pulled from the agenda.

NEXT MEETING DATE – January 13, 2011

ADJOURNMENT

Mayor Pro-Tem Kaplan moved to adjourn; Councilmember Pina, second. The motion was approved unanimously. The meeting was adjourned at 8:45 p.m.

Respectfully submitted,

Sandy Paul CMC
City Clerk