

Des Moines City Council PS&T Committee Minutes – 07/07/11

Meeting called to order: 6:13P on July 7, 2011, in North Conference Room @ 21630 11th Avenue So., Des Moines WA 98198.

Council Members

Dave Kaplan - Chairman & Mayor Pro Tem
Matt Pina - Councilmember

Absent

Scott Thomasson - Councilmember

City Staff

Lorri Ericson - Acting City Manager
Grant Fredricks - Director PB&PW
Dan Brewer - Asst. Dir. Transp. & Engineering
John O'Leary – Interim Police Chief
Linda Wright – Administrative Asst.

AGENDA:

1. Approve 6/2/11 Minutes
2. Decriminalization of Fireworks Violations
3. Developer Request to Delay Traffic Impact Fee Increase
4. Beach Park/Street Pavement Overlays Ballot Measure
5. Transportation Projects Update

MEETING:

1. Minutes 6/2/11 unanimously approved as submitted.
2. Decriminalization of Fireworks Violations - Chief O'Leary passed out a discussion sheet with the pros and cons of criminalization vs civil infractions, along with the DMMC, RCW and Penalty Scale. Criminal offense includes right to jury trial, public defender and City has to prove beyond "reasonable" doubt that the particular offender did in fact commit the crime. It also gives offender a criminal record, and up to 90-days in jail and \$1000 fine. Civil infraction doesn't legalize fireworks but takes the criminal element out of it. The burden of proof now changes to preponderance of evidence (more reasonable than not) penalties could range from \$86 to \$513 depending on the circumstances and officers judgment. Homemade devices, improving fireworks or discharging them in a reckless manner (throwing them from vehicle or at someone/property) would still be a criminal violation.

Staff directed to:

- Send via email to Committee with recommended options for penalties. Committee will then decide if need to meet and discuss or if can go directly to Council. (At first requested to bring forth options in motion but later decided – bring one motion to eliminate some of the debate and discussion.)
 - Be able to answer "What do other jurisdictions do?"
3. Developer Request to Delay Traffic Impact Fee (TIF) Increase - Developer Litowitz's letter to continue reduction at 50% for two more years. After discussion decided to recommend to full Council an increase 5% next year and back to 10% the next – could always add the other 5% in after that or when development picks up or the last year of step increases. According to the Ordinance, each year is scheduled to increase by 10% until reaching the maximum time. During discussion, it was strongly felt that there needs to be some kind of increase each year to get back to full amount included in the Ordinance because it was set substantially below that justified in the TIF rate study.
 4. Beach Park/Street Pavement Overlays Ballot Measure. Needs to be to King County by 8/16/11 to be included in the Voter's Pamphlet and on the ballot – limited what can be said in Voter's Pamphlet. Committee member Pina strongly felt need to give citizens clear detail about projects and how money will be spent to garner their support. All concerned about requesting more taxpayer money but fact remains there is no money for keeping pavement in decent condition – we are rapidly losing ground. Committee

Chairman Kaplan would like separate fund set up for revenue and expenditures so that public can see exactly how their money is being spent.

Director Fredricks brought up the difference between information provided for Beach Park and pavement program on the agenda coming before the full Council July 14th. Wanted to emphasize what staff would be looking at in spending the money, i.e.

- 1.) Geographic balance so no part of the City feels left out; however also have to consider
- 2.) Efficiency/economies of scale in setting up a project – 2 separate projects when 1 would allow consolidation and a savings;
- c.) Partnering with utilities or other agencies to reduce costs and
- d.) Condition of particular road/street. Need flexibility to adjust as conditions/issue arise because we are years behind on our schedules. Need to look at various processes and how the City can get the most “bang for its bucks” and preserve roadway system....stop the deterioration.

5. Update on Various Projects:

S.216th – MVD to 11th: Paving to be done next week (weather permitting) Contractor had some issues to take care of plus weather has delayed the final asphalt lift. Working on ribbon cutting ceremony. Will be bringing up to full Council what to do about the car wash property – City to keep and use or sell.

North Twin Bridge: Construction basically done – working on Punch List, restoration. Biggest issues are the claims/change orders the sub contractor wants. Dan Brewer will be sitting down with the general contractor to work these out.....what can't be settled face to face will end up in arbitration.

Redondo Outfall Pipe: Done.

Gateway: City's right of way agents have been meeting with property owners; three have signed and will be brought to Council on Consent 7/28. Senior Activity Center will provide right of way easement.

Beach Park Slide: 90% design has been reviewed and returned for changes - then permitting. Funding 87.5% from FEMA/State. Construction will start immediately after the Brews and Blues Festival 9/12/11 so there will be no equipment or obstacles for event. Will be a 25-working day contract which should be finished by mid October.

ADDED TOPICS: Dan Brewer brought up subject of LED lighting and maintaining our own street lights on Gateway Project (not PSE) and possibly taking over 16th and PHS and/or future projects to reap benefit of savings – less expensive than PSE. Also, opens up possibilities of partnering with an adjacent City. He passed out a couple of information sheets. The use of LED lighting is almost a necessity for TIB points towards grant money in substantial savings category. **Committee gave permission to proceed with looking into these matters and bringing back to Committee with some recommendations, costs, benefits, etc. for Council approval if deemed a good idea.**

Chairman Kaplan brought up general road maintenance and possibility of doing something in the Highline Community College vicinity, possibly 240th or their access areas. Doesn't think we have the best working relationship with them and would like to improve it and partner with them in some capacity. Adopt-a-Road Program was mentioned, adding to landscape contract, etc. Also thinks there should be a Transportation meeting with Cities of Kent and SeaTac as some of our projects are tied to them and need to work together to stay on track.

CHAIRMAN KAPLAN AGAIN REQUESTED BOND EXPENDITURE SUMMARY

Adjourned 7:48 PM

Linda Wright
Administrative Assistant