

## REGULAR MEETING DES MOINES CITY COUNCIL

MINUTES

February 15, 2007

The regular meeting of the Des Moines City Council was called to order at 7:32 p.m. by Mayor Sheckler in the Council Chambers, 21630 11<sup>th</sup> Avenue South, #B.

PLEDGE OF ALLEGIANCE to the flag was led by Councilmember Kaplan.

ROLL CALL - Present: Mayor Bob Sheckler, Mayor Pro Tem Scott Thomasson, Councilmembers Dave Kaplan, Ed Pina, Carmen Scott, Dan Sherman and Susan White. Also in attendance were City Manager Tony Piasecki, Acting City Attorney Richard Brown, Finance Director Paula Henderson, Harbormaster Joe Dusenbury, Planning, Building and Public Works Director Grant Fredericks and City Clerk Denis Staab.

### COMMENTS FROM THE PUBLIC

#### Bob Babione, 922 South 262<sup>nd</sup> Place

Mr. Babione informed Council that he lives just south of the Saltwater State Park Bridge. He advised Council that his alternate route is through 14<sup>th</sup> Place South and at certain times of the day traffic is almost non-stop along 16<sup>th</sup> Avenue South. He questioned whether a temporary 3 way stop sign might be installed until the Bridge is repaired. He further noted that when 16<sup>th</sup> Avenue South construction begins it will add additional traffic issues and he questioned whether that project could be delayed until the bridge is repaired, or put in a temporary fix to the bridge so it could be used.

Mayor Sheckler informed Mr. Babione that he and other Councilmembers and the City Manager were in Olympia today talking with our City representatives and senator, and the main topic of discussion was for funding to repair the bridge.

Councilmember Kaplan stated that the Public Safety and Transportation Committee has been informed that 16<sup>th</sup> Avenue South construction will start soon and the intersection at 260<sup>th</sup> in Woodmont will be closed for safety improvements. He noted they wish to delay the intersection closure until after the bridge is repaired. In regards to where 14<sup>th</sup> Place South connects with 16<sup>th</sup> Avenue South, there is a possibility of a temporary intersection or traffic light. He advised that everyone is well aware of the impacts of the 16<sup>th</sup> Avenue Project and will be trying to secure funding to repair the bridge prior to that construction. In regards to a temporary repair for the bridge, he advised that the damage is too severe.

Mayor Sheckler further noted the repair will run in the millions of dollars.

### BOARD & COMMITTEE REPORTS & COUNCILMEMBER COMMENTS

#### Activity Center - Murder Mystery Dinner

Councilmember Scott reported serving as a waiter at the Murder Mystery Dinner at the Senior Activity Center. She noted she has pictures of the event that she will share during Council's break. She announced it was a delightful evening for all involved.

#### Public Safety & Transportation Committee

Councilmember Kaplan stated the meeting was a couple of weeks ago and the main topic was the Saltwater State Park Bridge repair which he already spoke about.

#### Activity Center - Murder Mystery Dinner

Councilmember Kaplan reported this was a very fun event.

#### Another Mystery

Councilmember Kaplan advised that he found a bag containing a disposable camera and a large pack of chewing gum outside of City Hall doors last week-end and encouraged anyone who wishes to claim the package to come to City Hall and do so.

#### Olympia Trip

Councilmember Pina reported he, Mayor Sheckler, Councilmember Kaplan and City Manager Piasecki spent the day in Olympia and spent time with Senator Keiser and Representatives Uptegrove and Schual-Berke to share the City's views on legislation and to seek help with financing. One of the top concerns was funding for the Saltwater State Park Bridge and he noted they were very supportive and advised that we may get some Federal help. Also discussed was funding for the Des Moines Creek Trail. Also the City expressed concern about restrictions being put on construction downtown because of the safety issue with 4 inch water pipes and it was suggested they seriously consider any requests from Water District 54 for funding to upgrade their service.

In regards to the Streamline Sales Tax that was passed out of the Senate, Councilmembers were led to believe there is a high probability that it will pass out of the House. He stated what this will do is: if you are a citizen and buy something in Tukwila, today the money goes to Tukwila, but under the streamlined sales tax that money would go the City where the purchaser lives, such as Des Moines.

#### Passenger Ferry Study

Councilmember White reported attending a meeting today, and the results of the Study is expected by the end of the year.

#### NLC Conference

Councilmember White announced that she will not be attending the Conference due to economic reasons as noted at an earlier meeting. However, she noted Consent Item #11, and informed Council she would like to attend the National Main Streets Conference which will be in Seattle March 25-28, 2007.

#### Staff Compliments

Councilmember White extended compliments to the following staff for their excellent work:

- Surface Water Management for their efforts at Massey Creek in Redondo overflow problems
- Animal Control Officer Magnuson for her work with a problem dog in her neighborhood

#### King County Board of Health

Councilmember Sherman reported attending a meeting today of the Board where the new Director of Public Health, David Fleming was introduced, who still needs to be confirmed by the Seattle City Council and the King County Council. He also advised there were discussions on the Public Health Operation Master Plan, which contains three main functions:

1. Health Protection
2. Health Promotion
3. Provision of Services

#### Environment Committee

Mayor Pro Tem Thomasson advised that the Committee met this evening. Topics of discussion were Environmental Critical Areas draft regulations, which is scheduled for a Public Hearing in March, and the Shoreline Master Program, which will be scheduled for a first reading in the near future.

#### PRESIDING OFFICER'S REPORT

##### Human Services Advisory Committee

Mayor Sheckler announced that Councilmember Sherman has agreed to represent the Council on the Committee.

##### 2007 Poverty Bay Wine Festival

Mayor Sheckler announced that the Festival's "Mardi Gras" Day will be Friday, March 9<sup>th</sup> at 7:30 p.m. at Landmark on The Sound and tickets are still available.

##### Streamline Sales Tax

Mayor Sheckler advised that the measure passed the Senate in January and should be coming out of the House soon. He noted that if the measure is successful it would mean beginning July 1, 2008, it could bring Des Moines' in excess of \$800,000.

##### Highline School District Levy

Mayor Sheckler introduced Matt Pina, who proceeded to brief Council on the proposed Levy, highlighting the following:

- Date - March 13, 2007
- Purpose - Educational Programs Replacement Levy
- Funds approximately 18 to 20% of District's General Fund revenues
- Necessary because State funding does not cover all school needs
- 80% of the funds pays for teachers and district employees, 95 teaching positions and 170 non-teaching positions, and training and professional development for teachers.
- Potential impacts if Levy does not pass: Teacher lay-offs, shorter school day, eliminate music, band and P.E. for eliminatory students, reducing electives, increasing class size and cutting extra circulator activity and athletes by about 50% due to elimination of about 100 coaching positions.
- School Camp
- Community use of schools after hours potentially eliminated

Mr. Pina pointed out this levy has nothing to do with building program, but only for learning. It will require 60% support for passage. Tax rate is approximately \$2.56 per thousand and is a replacement tax, and on a \$300,000 home cost would be approximately \$48 more per year.

Mayor Sheckler noted that Mr. Pina has requested Council pass a resolution supporting the levy and questioned whether there are 3 Councilmembers willing to support placing such a resolution on the next Council agenda. Consensus was yes.

City Manager Piasecki pointed out that State law allows for an opportunity for the public to speak for or against such a proposed resolution supporting a ballot issue, and by virtue of Council's agenda posting such notification will be provided.

### ADMINISTRATION REPORTS

#### City Attorney Candidate Interviews

City Manager Piasecki announced that Thursday and Friday, interviews will be conducted with the City Attorney candidates.

#### South King County Transportation Board - City Representatives

City Manager Piasecki advised Council needs to make appointments to the Board.

**MOTION** was made by Councilmember Pina, seconded by Councilmember Sherman, to appoint Councilmember Kaplan as the City's representative to the Board, with Planning, Building & Public Works Director Fredericks as the City's alternate. Motion passed unanimously.

#### Consent Calendar Items

City Manager Piasecki noted the following comments regarding some Consent Items:

*Item #5:* By accepting some additional right-of-way in Federal Way, we will adjust the boundary appropriately.

*Items #6 and #8:* Mayor Sheckler announced he is removing these items from the Consent Calendar as he does not feel they are ready yet.

*Item #10:* The boat launcher and fishing pier are not going to be closed. Council is being asked to approve without a resolution because 1) the Marina renting the parking lot for events that are not boat related is not normal business and 2) the City is not going to be a participant in the event, we are only providing space as a Special Event Permit.

*Item #12:* The last two Whereas should be removed as they are not needed. The words "20 mile radius from City limits" should read "City Hall".

*Item #14:* The motion should read: "the City Manager or his designee is authorized to sign" the annual updated work project descriptions, "provided the City Council budgets money for that purpose".

*Item #15:* Motion has been reworded to simply say "the City Manager is authorized to sign the easement".

#### Consent Items #6 and #8

**MOTION** was made by Mayor Sheckler, seconded by Councilmember White and passed, to remove Consent items 6 and 8, to be rescheduled at a later date.

#### Arts Commission Appointments (Consent Item #9)

Councilmember Sherman commented that he was very impressed with the quality of the appointees and stated he did not know we had such talent in the City.

CONSENT CALENDAR was read by City Clerk Staab.

1. Motion is to approve the regular minutes of January 4 and 25, 2007.
2. Findings: Vouchers audited and certified by the auditing officer as required by RCW 42.24.080, and those expense reimbursement claims certified as required by RCW 42.24.090, have been recorded on a listing which has been made available to the City Council.

Motion: As of this date the Des Moines City Council, by unanimous vote, does approve for payment those vouchers and payroll transfers included in the above list and further described as follows:

Claim checks #107621 through #107872 & electronic fund transfers in the total amount of \$757,683.69

Payroll fund transfers in the total amount of \$300,146.12

3. Motion is to confirm Mayor Sheckler's appointments of Virgil Staiger and Dana Ketcham to three year terms on the Library Board to be effective January 1, 2007.
4. Draft Resolution No. 05-001 - Title: A Resolution of the City of Des Moines, Washington approving the gift and conveyance of 160 feet of aquatic tidelands in the Redondo area.  
MOTION is to approve Draft Resolution No. 05-001.
5. Draft Resolution No. 07-013 - Title: A Resolution of the City of Des Moines, Washington relating to public right of way, roadway and storm water management, approving the gift and conveyance of real property to the City of Des Moines from Ashton Redondo, LLC, and granting authority to the City Manager to accept the property for public right of way, roadway, and storm water management purposes.

MOTION is to approve Draft Resolution No. 07-013.

6. ~~Draft Ordinance No. 06-207 - Title: An Ordinance of the City of Des Moines, Washington relating to determination of and expenditure of street vacation compensation fees, and amending DMMC 12f.12.020, DMMC 12.12.050 and DMMC 12.12.070 in compliance with State law.~~

~~TWO MOTIONS: First motion is to suspend Council Rule 26(b). Second motion is to approve Draft Ordinance No. 06-207. [ED NOTE: Removed by Mayor Sheckler.]~~

7. Motion is to adopt the 2007 Exhibit A for the Memorandum of Understanding between the Cities of Auburn, Burien, Covington, Des Moines, Federal Way, Kent, Renton, SeaTac and Tukwila for the Joint Human Services Funding Program.
8. ~~Motion is to remand to the Public Safety and Transportation Committee possible development of an ordinance to deal with abandoned shopping carts. [ED NOTE: Removed by Mayor Sheckler.]~~

9. Motion is to confirm Mayor Sheckler's appointments to the Des Moines Arts Commission as follows: Three year Terms for Clark Snure, Anita Corby and Nancy Stephan; Two year terms for Denny Steussy, Jeanne Serrill and Nancy Warren and one year terms for Katherine Caughey, Elsie Dillerd and Cora Morrison to be effective February 16, 2007.

10. Motion is to approve the use of the Marina for an Italian car show on September 2<sup>nd</sup> of this year, providing that the City Manager approves the operations and site plan for the event.

11. Motion is to authorize payment of registration and expenses of approximately \$653 for Councilmember White to attend the National Main Streets Conference in Seattle, March 25-28, 2007.

12. Draft Ordinance No. 06-279 - Title: An Ordinance of the City of Des Moines, Washington relating to personnel, policies regarding reimbursing new employees for moving expenses, amending DMMC 2.16.070.

TWO MOTIONS: First motion is to suspend Council Rule 26(b). Second motion is to approve Draft Ordinance No. 06-279.

13. Motion is to authorize advancing the City Manager's salary to Step E of range M39 of the City of Moines Pay Plan, effective January 1, 2007.

14. Motion is to approve the contract with the Washington State Department of Corrections, CDOC6851, and authorize the City Manager to sign the contract substantially in the form as submitted and to authorize the City Manager or his designee to annually sign updated work Project Descriptions, subject to the City Council appropriating adequate funds.

15. Motion is to accept a Public Drainage Easement and Agreement signed by the property owner, Kate Crotty, on January 23, 2007, and to authorize the City Manager to accept the easement and sign the agreement on behalf of the City in substantially in the form as submitted.

**MOTION** was made by Councilmember Kaplan, seconded by Mayor Pro Tem Thomasson and passed unanimously, to approve the Consent Calendar as amended.

## OLD BUSINESS

### Marina Master Plan

Councilmember Sherman remarked that although the Municipal Facilities Committee has been working on the Marina Master Plan for some time, this is the first time they have seen this particular document along with the financial figures.

Harbormaster Dusenbury noted the following items contained in Council packets: Attachment 1): The Draft Plan, Attachment 2): A list of all the projects called for in the Master Plan, and Attachments 3) and 4): Financial spread sheets that will be reviewed by the Finance Director. He advised his goal is to present the material, answer questions, and he plans to bring the completed document back to Council in early April with completed SEPA and the adopting resolution. He proceeded to review the first three phases of the Plan as follows:

- *Phase I:*
  - Relocate water main from parking lot and front of Marina Office to Dock Avenue
  - Relocate 12.5kV Power Lines to Cliff Avenue
  - Dredging Project: Survey, design & permit process
  - Demo Public Launch/Parking lot re-stripe
  - Replace Bulkhead I: includes providing new gangway access to existing guest moorage on north side of guest docks
  - Sidewalk & Railing I: Cast-in-place sidewalk behind new bulkhead
  - Reconfigure parking lot and road areas near Office & new commercial bldg. site.
- *Phase II:*
  - Provide new harbor maintenance bldg. in Quartermaster Parcel
  - Remodel Marina Office/Relocate Maintenance Division to new bldg.
  - Provide 6000 SF Commercial bldg. with foundation and site improvements
  - Dredge basin
- *Phase III:*
  - Replace bulkhead from new travel lift pier to K Dock
  - Cast-in-place sidewalk behind new bulkhead
  - Construct new travel lift launch pier to replace existing. Locate new pier between M and N Docks
  - Replace existing tenant restroom w/additional space for public restroom & small laundry facility

Councilmember Sherman noted that during Committee discussions it was determined that when replacing the bulkheads we will try to elevate them more because of rising water levels.

Mayor Pro Tem Thomasson commented that it does not appear to be sidewalks on the north end by the Beach Park, and no sidewalk connection with the South Park. He felt there is a need to deal with the way South 227<sup>th</sup> comes into the Marina both for vehicle and pedestrian traffic. He felt this detail is important to add into the final plans.

In regards to the new commercial building location, Mayor Pro Tem Thomasson felt designated parking space needs to be shown, along with any green space. He also felt there needs to be better definition for a travel lane for the new travel-lift launch pier.

Councilmember Kaplan requested a more defined concept of the entry ways both on the south and the north end of the Marina.

Upon questioning, Harbormaster Dusenbury stated he will add additional language in the Redondo section of the Plan, that in the future the Redondo area will be staffed at a higher level.

8:55 p.m. Mayor Sheckler called for a 10 minute break.

City Manager Piasecki pointed out that assuming that moorage rates rise by 3% only after 2009, and without other capital contributions or grants in the amount of \$800,000, the financial aspects of the Plan would not 'pencil out'. Therefore the Finance Director will be showing what it will take in order to do the entire plan.

Finance Director Henderson proceeded to review the preliminary Marina Master Plan Financing Assumptions as follows:

- Annual increase in moorage revenue of 5% after 2009
- Increases in other revenue sources based on historical patterns
- Annual increase in expenditures of 3% except for GF transfer at 2%
- Marina annual capital contribution of approximately \$265,000
- Other capital contributions or grants 2012-2016 of \$800,000
- Approximately \$13 million in GO bond issuance for 1<sup>st</sup> three phases - 4<sup>th</sup> phase \$3.25 million
- Sizing of issues and issuance dates dependent upon cash availability & project timeline
- Annual debt service will grow to approximately \$1.4 million in 2012
- Seattle NW Securities interest rate outlook provides lower annual debt services than shown in base projections

Finance Director Henderson reviewed graphs showing Debt Services cash from operations at 3%, 4% and 5% moorage revenue growth, also Bond Issue costs of issuance and debt reserve along with project costs and funding sources. She further noted:

- Debt Service reserve funded by available cash from operations in 2007 & 2011 - no need to bond.
- Debt service coverage ratio maintained above 1.25 times net revenues
- Seattle NW Securities recommends combining 2007 & 2008 issues to save in bond issuance costs.

She concluded by reviewing a graph showing Councilmanic Debt Capacity based on 2007 Assessed Valuation = \$2.590 Billion with 5% growth for years 2007 through 2017.

Mayor Pro Tem Thomasson commented in regards to the commercial structure north of the Marina office and all the needed structural changes, he questioned whether the lease would be affordable to anyone wanting to do business there. Harbormaster Dusenbury advised that the improvements need to be done anyway.

City Manager Piasecki noted that looking at the larger picture, providing the commercial structure provides a benefit to the guest moorage users, along with other Marina tenants and the general community.

Councilmember Sherman advised that while he wants to move forward with the Master Plan, this is the first time Council is seeing the financial figures. He felt that at some point after 2012 the City will need to start subsidizing the Marina. He questioned whether Council needs to study this in more detail, as the Marina should be able to pay for itself. He felt this is a major policy issue.

Upon questioning, Finance Director Henderson stated she was recommending one time capital contributions, as a re-investment from the City into the Marina an investment in capital infrastructure. On the operating side, the Marina continues to pay the General Fund its annual transfer.

Mayor Sheckler felt this is a major policy decision that Council needs to review as there are a lot of policy questions that have been raised.

Mayor Pro Tem Thomasson advised that he would not be in support of the General Fund subsidizing the Seawall. However, if we had a program to rebuild Dock Avenue, and put in a sidewalk, that might be transportation related funding. He felt we need to carefully look at which things are those that could meet some criteria for General Funds. He stated that we need a balance in the financial plan and what it is we want in our Master Plan.

Councilmember Kaplan felt you do not abandon a vision as there are a lot of different ways to get there and there is a need to explore all the options.

Mayor Sheckler noted that this is the first time the Municipal Facilities Committee has seen the Financial Plan. He felt that perhaps the Committee should go back and explore the financial plan in more detail.

Councilmember Pina noted that Council has talked a lot about economically developing downtown Des Moines and the linkage the Marina can provide to draw people in. He stated what he has not seen is what benefits the Marina can contribute in generating funds to the City.

City Manager Piasecki advised that the Marina was setup as an enterprise fund by a legislative decision of the Council. He noted there is nothing in State law that says it has to be an enterprise fund. He noted that a new restaurant, a new retail shop and an expanded boat yard will generate sales tax, utility and B&O taxes, which have not been included in the financial package presented this evening.

Councilmember Scott felt the Marina is an asset we are not giving enough credit to. Without the Marina we would not have Anthony's, high end condos, or the farmer's market. She felt we must take care of the Marina and find ways to do it financially.

Councilmember White stated that the Marina and the Beach Park contribute greatly to the uniqueness of the community, including the closeness to the Airport. She felt that it is time to invest in our facilities, or it will be just the status quo, and it is Council's obligation to move forward.

Lease Amendment for Police Sub-Station at Redondo Square

City Manager Piasecki noted the lease amendment sets up the tenant improvements that Joshua Green will do for the City. He noted there is an attachment that sets out the work that will be done at a cost of \$147,000. He advised that Joshua Green is very nervous about how change orders will be handled, so they have requested a 10% contingency. However, any contingencies beyond 10% must come back to Council for approval.

**MOTION** was made by Mayor Sheckler, seconded by Councilmember White to 1) approve the "First Amendment to Lease" between Joshua Green Corporation and the City of Des Moines amending the lease dated April 20, 2006 for the Redondo Square Police Substation and providing for the estimated cost payment by the City of \$147,315.50 for the tenant improvements; 2) to authorize the City Manager to sign the "First Amendment to Lease" substantially in the form as submitted; and 3) to authorize the City Manager to approve necessary change orders for increased costs of the tenant improvements up to 10% of the estimated cost payment of \$147,315.50 (\$14,731.55). [ED NOTE: Later withdrawn]

Upon questioning by Councilmember Sherman, City Manager Piasecki noted the 10% contingency will come from the Levy Lid Lift funds.

Under Section 2 of the Amendment to Lease, it was Council's consensus to change the last two words "Substantial Completion" to 'issuance of Certificate of Occupancy'.

Acting City Attorney Brown advised Council that the first three pages of the Amendment acknowledge that we entered into a lease, and the amendment to the original lease is to be in accordance with the details in Exhibit A, which sets forth the details that we are agreeing to, that we had not agreed to before.

Councilmember Kaplan expressed frustration over seeing the amended lease for the first time tonight, which appears to be written wrong, and trying to meet the obligation made to citizens that we would open the substation. If we can be confident that everything is in order, then he will approve, otherwise he cannot support, because he does not want this to come back again.

Mayor Pro Tem Thomasson felt that if Council had the original agreement in front of them, then Council could determine if the language in Section 1 is correct and refers to the original lease.

Mayor Sheckler and Councilmember White agreed to WITHDRAW their Motion. Mayor Sheckler felt Council may wish to take another week to review the document.

City Manager Piasecki informed Council he now has a copy of the original lease and the First Amendment to Lease in front of Council tonight is correctly written. He stated the amendment is written that we are acknowledging that they did what they were suppose to earlier, and now they are going to do all the tenant work for us as described in attachment A in the amended lease.

City Manager Piasecki pointed out that the term Substantial Completion in Section 2 is carefully explained in attachment A, so there is no need to amend.

**MOTION** was made by Councilmember White, seconded by Councilmember Scott, to 1) approve the "First Amendment to Lease" between Joshua Green Corporation and the City of Des Moines amending the lease dated April 20, 2006 for the Redondo Square Police Substation and providing for the estimated cost payment by the City of \$147,315.50 for the tenant improvements; 2) to authorize the City Manager to sign the "First Amendment to Lease" substantially in the form as submitted; and 3) to authorize the City Manager to approve necessary change orders for increased costs of the tenant improvements up to 10% of the estimated cost payment of \$147,315.50 (\$14,731.55), and if needed will come from Levy Lid Lift money.

Councilmember Sherman wished to be on record that he does not like receiving packet items the night of the meeting as there is no time to study the documents.

Councilmember Pina CALLED FOR THE QUESTION. VOTE on the call for the question failed with Councilmember Sherman and Mayor Pro Tem Thomasson opposed. [Requires ¾ for passage.]

Councilmember Sherman advised that since he has not had time to read the packet item, he cannot support the motion. Councilmember Kaplan concurred.

Mayor Pro Tem Thomasson noted that bids generally have a deadline, and if this item is delayed it could cause rejection of the current bid, therefore he would encourage action on this item tonight. However, he noted he cannot support the motion as he does not believe the funding should come from the Levy Lid Lift.

VOTE ON MOTION: Motion passed 4 to 3 with Councilmembers Kaplan, Sherman and Mayor Pro Tem Thomasson opposed.

## NEW BUSINESS

### Federal Government Appropriation Requests

City Manager Piasecki noted Council's Agenda Item packet and requested Council's direction regarding the City's federal government appropriation requests for fiscal year 2007-2008, and informed them that the City's lobbyist, Mr. Dale Learn, recommends the following three items be submitted to the Washington State Congressional delegation for funding in fiscal year 2007-2008:

1. Des Moines Creek Trail
2. Road improvements to support development of the Des Moines Creek Business Park
3. Upgrade the water system serving downtown Des Moines

Mayor Pro Tem Thomasson remarked that he has a problem asking the Federal Government to come in and save Water District #54 because they have done a bad job for several decades. He feels the lack of fire flow is something he has pointed out in their Water Plan for the last several years. He agrees the poor job the Water District is doing is hurting the City's efforts in terms of rebuilding the downtown area for economic growth. He felt in a round about way, it would be a

Federal subsidy to private property owners. He suggested perhaps the Water District needs to do a long term LID and deal with it through their rate structure.

Councilmember Sherman commented that the City of Des Moines should not be using its political capital to help another taxing jurisdiction. He felt okay with items one and two, but he felt item 3 should be a community emergency mobile command vehicle, or the Marina Master Plan.

City Manager Piasecki advised that originally Mr. Learn had the interactive video surveillance system on the Des Moines Creek Trail from the Marina to South 220<sup>th</sup> Street as item #3, but felt that upgrading the water system was a higher priority.

Councilmember Kaplan stated that the water system problems are costing businesses who may wish to invest in downtown, extraordinary amounts of money. He noted this is costing the City a lot of tax dollars therefore he is willing to support that item. He also felt it is extremely important from a public safety issue. He noted the other issue is the long term maintenance of those water lines and whether it is done by the City or Highline Water District, Water District #54 would be better off managed by someone else. He felt the Council should give serious consideration to encourage Highline to assume District #54, or consider the City assuming it.

Councilmember Scott stated that if we have a chance of getting some funding, she would encourage it be for reduction/prevention of flooding at Des Moines Beach Park as this is a high priority to her. She also felt funding for the Marina Master Plan projects is high.

**MOTION** was made by Councilmember Sherman, seconded by Mayor Sheckler, to authorize the City Manager to submit to the Washington State Congressional delegation for federal funding, project #1: Des Moines Creek Trail. Motion passed unanimously.

**MOTION** was made by Councilmember Sherman, seconded by Councilmember Kaplan, to authorize the City Manager to submit to the Washington State Congressional delegation for federal funding, project #5: Road improvements to support development of the Des Moines Creek Business Park. Motion passed 6 to 1 with Mayor Pro Tem Thomasson opposed.

**MOTION** was made by Councilmember Sherman, seconded by Councilmember Scott, to submit to the Washington State Congressional delegation for federal funding, project #12: any of the Marina Master Plan projects. Motion FAILED 3 to 4 with Councilmembers Kaplan and Pina, Mayor Pro Tem Thomasson, and Mayor Sheckler opposed.

**MOTION** was made by Councilmember Sherman to submit to the Washington State Congressional delegation for federal funding, project #9: Community emergency mobile command vehicle. **MOTION DIED** for lack of a second.

**MOTION** was made by Councilmember White, seconded by Mayor Sheckler, to submit to the Washington State Congressional delegation for federal funding, project #15: Upgrade the water system serving downtown Des Moines.

Councilmember Pina questioned why the City would go ask for funds when the people who are responsible for spending those funds have not taken a position on the issue.

City Manager Piasecki informed Council that if this project was funded there is no problem with the City passing the funds on to the Water District.

Councilmember White stated she felt this is critical for the downtown businesses and for economic development.

Mayor Sheckler spoke in favor of the motion as he feels without the City doing something the needed improvements will not happen. He also noted he would be in favor of Water District #54 being assumed by Highline Water District or the City, but in the meantime that does not help the downtown area.

10:29 p.m. **MOTION** was made by Councilmember White, seconded by Councilmember Kaplan to extend the meeting 5 minutes. Motion passed 6 to 1 with Councilmember Sherman opposed.

**VOTE ON MOTION:** Motion passed 5 to 2 with Councilmember Sherman and Mayor Pro Tem Thomasson opposed.

Mayor Pro Tem Thomasson voiced the opinion that the Saltwater State Bridge is something that cries out for fixing and the City does not have the funds to do so. He feels this is an essential project and should probably be placed ahead of Des Moines Business Park. He noted that normally you would expect the developer to fund the road improvements.

**MOTION** was made by Mayor Pro Tem Thomasson, seconded by Councilmember Sherman, to submit to the Washington State Congressional delegation for federal funding, project #3: Help with repair of the currently-closed Saltwater Bridge.

10:35 p.m. **MOTION** was made by Mayor Sheckler, seconded by Councilmember Kaplan to continue the meeting for 5 minutes. Motion passed 6 to 1 with Councilmember Sherman opposed.

City Manager Piasecki noted that Mr. Learn strongly advised that Council not go with more than three projects.

Mayor Sheckler commented that Mr. Learn recommended three projects only, but he would like to have this fourth one as a footnote.

Councilmember Kaplan noted the Saltwater Bridge is a high priority and he does not mind if it is a footnote, but he feels the City is working all avenues, however he feels it is more likely funds will come from the State before any Federal money.

Councilmember Scott felt the City has hired a professional, Mr. Learn, and we should accept his judgment on which issues are more likely to get funding.

**VOTE ON MOTION:** Motion passed unanimously.

**MOTION** was made by Mayor Sheckler, seconded by Councilmember White, that the top three priorities be item 1, 5 and 15. **MOTION FAILED** 4 to 3 with Councilmembers Scott and White, and Mayor Sheckler in favor.

City Manager Piasecki pointed out that the City's delegation will be asked what is our top priority and we are expected to say "one, two and three, and in that order". He questioned what are the three. He reminded Council that Mr. Learn's recommendations are 1, 5 and 15, and in that order.

Councilmember Scott felt that Mr. Learn will give us his best professional advice and Council is wasting time trying to guess.

In regards to the Saltwater Bridge, Mayor Pro Tem Thomasson felt that Mr. Learn should be giving the City lobbying services for what we need and he should be able to open the doors to make sure we are on somebody's funding list.

At 10:40 p.m. **MOTION** was made by Councilmember Kaplan, seconded by Mayor Sheckler, to extend the meeting to 10:45 p.m. Motion passed 6 to 1 with Councilmember Sherman opposed.

**MOTION** was made by Councilmember Sherman, seconded by Councilmember White, that the Council contingency present the four items for Federal Funding, but if it comes to prioritizing them, it be left to their judgment. Motion passed unanimously.

Councilmember Kaplan suggested that the contingency say the City has three long term projects, and one emergency project, as he felt that if Mr. Learn understands the reason we are bringing a fourth item, we may receive a more positive response.

#### **ADJOURNMENT**

At 10:42 p.m. **MOTION** was made by Councilmember Sherman, seconded by Councilmember White to adjourn. Motion passed 5 to 2 with Councilmember Kaplan and Mayor Pro Tem Thomasson opposed.

#### **NEXT MEETING DATE**

Mayor Sheckler announced the next regular meeting is February 22, 2007.

Respectfully submitted,

Denis Staab  
City Clerk