

## REGULAR MEETING DES MOINES CITY COUNCIL

MINUTES

December 13, 2007

The regular meeting of the Des Moines City Council was called to order by Mayor Pro Tem Thomasson at 7:30 p.m. in the Council Chambers, 21630 11<sup>th</sup> Avenue South, #B.

PLEDGE OF ALLEGIANCE to the Flag was led by Mayor Pro Tem Thomasson.

ROLL CALL - Present: Mayor Pro Tem Scott Thomasson, Councilmembers Dave Kaplan, Ed Pina, Carmen Scott and Susan White. Absent: Mayor Bob Sheckler and Councilmember Dan Sherman. Also in attendance were City Manager Tony Piasecki, City Attorney Pat Bosmans, Finance Director Paula Henderson, Transportation Engineer Dan Brewer, Harbormaster Joe Dusenbury, and Planning, Building and Public Works Director Grant Fredricks.

MOTION was made by Councilmember White, seconded by Councilmember Kaplan and passed unanimously, to excuse Mayor Sheckler and Councilmember Sherman.

### COMMENTS FROM THE PUBLIC:

Ally Larkan, 21967 7<sup>th</sup> Ave South, asked for support for the Peace and Non-Violence campaign and delivered the news of new cities joining the campaign.

Kathy Reynolds, 22215 6<sup>th</sup> Ave South, expressed concern over the development of south end of Marina that could affect views from the condominiums.

### BOARD & COMMITTEE REPORTS AND COUNCILMEMBER COMMENTS

Councilmember Scott commented on the challenging and rewarding year and thanked the wonderful volunteers.

#### Public Safety and Transportation

Councilmember Kaplan gave an update on slide repairs. The 16<sup>th</sup> Avenue South project, Rapid Ride update, South 260<sup>th</sup> Street paving, street lighting, and transportation benefit districts were the topics covered in the meeting. On a personal note, he has been on the council for six years and feels that council has improved a lot in the past two years.

Councilmember Pina has enjoyed working with the council members; they listen to each other and are working well together

Councilmember White wishes everyone a safe and happy holiday season. Councilmember White and Transportation Engineer Dan Brewer attended the Bremerton Passenger Ferry Summit. There is so much information from the summit to pass on and she looks forward to having a conversation on passenger ferries in the near future.

### ADMINISTRATION REPORTS

City Manager Piasecki introduced Bill Block, Project Director of the Committee to End Homelessness in King County. Homelessness means being without stable housing. Of the residents in shelters 27% are under 18 years of age, 30% are veterans. A homeless person can cost \$50,000 per year in medical bills on emergency basis. He then showed a DVD presentation on homelessness.

One of the things communities can do is help people with services and housing wrapped together; it really helps them stabilize their lives. Faith communities have been coming together and helping by subsidizing a set number of units to help families become more stable.

Councilmember Pina inquired about the processes in place to train and motivate them to get jobs and get out of system to make room for new homeless people.

Employment is a big part of helping people transition to more conventional house. Combining services is the key to success for homeless people. Prevention is the key to long term success. Of foster children 30% leaving foster care go through homelessness.

This South County Plan has been endorsed by the Suburban Cities Association, Burien, Tukwila, Federal Way and Seattle and King County.

Councilmember Thomasson wondered if King County was successful at housing the homeless, would the region become a magnet for more homeless from other areas.

Every county in Washington State has a ten year plan to end homelessness as do a number of cities across the nation including Portland. There are two major groups of homeless, one is people with long ties to the community and the other is the severely disabled people. The homeless generally don't move far from their last permanent address, so a major influx of homeless would not be an issue. Portland has dropped their street population by 39% which would not have been possible if there had been an influx of homeless people coming to the area.

#### West Seattle Mental Health

West Seattle Mental Health is requesting a letter of support they can submit with their grant proposals to complete their funding package. Council agrees to sign the draft letter submitted by West Seattle Mental Health.

#### Consent Calendar Item #8

City Manager Piasecki requested this item be done as a New Business Item number instead of a consent calendar item.

#### CONSENT CALENDAR was read by City Manager Piasecki.

1. Motion is to approve the special minutes of November 3 and 26, and the regular minutes of November 15 and 29, 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 #112050 through #112197 & electronic fund transfers in the total amount of \$1,742,382.32  
Payroll fund transfers in the total amount of \$390,290.98
3. Motion is to approve amending the contract with American Building Services for janitorial services for City owned buildings by extending it through December 31, 2008, and adding

the Police South Substation and the new Steven J. Underwood Park Restroom, and to authorize the City Manager to sign the contract substantially in the form as submitted.

4. Motion is to approve the surplus of miscellaneous items as listed in Council's Agenda Item and to authorize disposal of said equipment by auction, sale or transfer to other departments or agencies.
5. Motion is to confirm Mayor Sheckler's reappointments of Rachelle Mendoza, Mack Van Wyk and Don Harper to a four year position on the Senior Services Advisory Committee, and Nadine Byers, Elizabeth Brant, Ann Berney, and Deborah Hickman to a two year term on the Human Services Advisory Committee.
6. Motion is to authorize the City Manager to enter into an Interlocal agreement between the City of SeaTac, Des Moines and Tukwila for planning, funding and implementation of a joint minor home repair program in 2008 using Community Development Block Grant Funds.
7. Motion is to approve \$3,434.15 in additional contingency funds for the Des Moines Beach Park Auditorium and Sun Home Lodge Perimeter Drainage Improvements Project.

#### Corrections to minutes

Councilmember Kaplan noted on the November 29<sup>th</sup> minutes, page two, on the motion by Councilmember White, that Councilmember Sherman seconded the motion.

**MOTION** was made by Councilmember Scott, seconded by Councilmember Kaplan, passed unanimously, to approve the Consent Calendar as read.

#### NEW BUSINESS

##### Pavement Management

Transportation Engineer Dan Brewer spoke on the Paving Management Program. It is proposed to add two locations as a change order on Des Moines Memorial Drive. There is \$40,000 in authorized funds for the Pavement Management program and the estimate for the work came in just under the funds remaining.

One question is whether to overlay Des Moines Memorial Drive to 208<sup>th</sup> instead of just the 2 between 212<sup>th</sup> and 208<sup>th</sup>. That would require an additional \$60,000 in spending authority which would cover the current overlays and the proposed new overlays.

Councilmember Kaplan feels that staff is asking for the ability to pave over areas that might not make it through the winter if the patchwork is not done. The committee's recommendation is to extend the asphaltting up to 208<sup>th</sup>. The slides at the South end of Marine View Drive will continue to happen until a comprehensive solution is found.

Discussion ensued on the budget for the Pavement Management and what the funds would cover. The two options open are just do the patchwork or do the whole project. The Public Safety and Transportation committee's recommendation is do the whole project for the \$60,000.

Sighting a possible conflict of interest, Councilmember Kaplan excused himself from voting on this project.

**MOTION** was made by Councilmember Thomasson, seconded by Councilmember Pina, to authorize a change order to the construction contract with Lakeside Industries for the 2007 Pavement Management Program for an amount of up to \$100,000 for paving work on Des Moines Memorial

Drive from 208<sup>th</sup> to 212<sup>th</sup> and to authorize the City Manager to sign said change order. Motion passed with Councilmember Kaplan abstaining.

Draft Ordinance No. 07-227 [ASSIGNED NO. 1424] Amending 2007 Budget - 1<sup>st</sup> Reading

Finance Director Paula Henderson presented a slide show on the proposed amendments to the 2007 Budget to Council for adoption.

Finance Director Paula Henderson explained what cash flow means and how she tracks through the year, on a monthly basis.

**MOTION** was made by Councilmember Kaplan, seconded by Councilmember White, to suspend Council rule 26(b) in order to consider Draft Ordinance No. 07-227 on first reading. Motion passed unanimously.

**MOTION** was made by Councilmember Kaplan, seconded by Councilmember White, to adopt Draft Ordinance No. 07-227 relating to municipal finance amending the 2007 budget adopted in Ordinance No. 1392. Motion passed unanimously.

At 8:49 p.m., Mayor Pro Tem Thomasson called for a 10 minute break.

Marina Bulkhead Replacement & Agreement for Final Design, and North Marina Redevelopment

The staff will meet with the Municipal Facilities Committee to discuss the final contract on January 11, 2008, and then will bring it back to the Council for full consideration

Harbormaster Dusenbury went through details of the project starting with the north parking lot and continuing sidewalk to Cliff Avenue with a landscaping strip. This meets the landscaping code; trees will go in the south parking lot. The restaurant portion of the project may trigger some storm water treatment. Area lighting will have to be moved and upgraded to newer fixtures. The bulkhead alignment will move back, then follow the current alignment. There will be a new ADA access ramp and utility carrier ramp. The current restroom would be demolished and new ones built inside marina office.

City Manager Piasecki informed the Council that negotiations with a restaurant are ongoing at this time.

Harbormaster Dusenbury explained how the project will be done in phases beginning with the replacement of bulkhead and some portion of upland work. The first phase is envisioned to start in January with the permitting process and the design process; it should be ready to go out to bid the summer of 2008 summer. The in-water portion needs to be completed by February 15, 2009.

The restaurant phase will come along about 3 to 4 months after to be open in the spring or summer of 2009.

Councilmember Thomasson inquired about the Beach Park needs and whether or not is has been calculated yet. Harbormaster Dusenbury said to his knowledge that had not been completed at this time.

Councilmember Scott asked about the idea of a stairway from 223<sup>rd</sup> St. This will continued to be explored in this project.

Draft Resolution No. 07-229 [ASSIGNED RES. NO. 1061] - Emergency Due to December Rainstorm

A briefing was given on the emergency work that was done on the Des Moines Memorial Drive slide area. Some of the slides received some emergency repair funds so the city contribution was roughly 13.5% of the total cost. Each of the slide areas are a little bit different, there is more work that will be done.

Stormwater Engineer Reinhold gave a briefing on the Beach Park and the damage done to it during the recent rain event. The storm was estimated to be a 100 year storm, which is said to be 4 inches of rain in a 24 hour period and this storm dumped 4.2 inches of rain in a 24 hour period.

Councilmember Kaplan expressed his concern that the Port of Seattle did not communicate in a timely manner with Des Moines that the Airport facilities were at overflow status. We could have used the bypass to mitigate some of the damage done to the park. Stormwater Engineer Reinhold informed Council that the bypass was not ready to be used at the time. King County is working out the logistics and should be done by the end of the year.

Discussion followed concerning the cleaning of the bypass pipe; what can be done and how the City can help with this problem.

Councilmember Scott expressed frustration regarding the lack of dredging the City was allowed to do in Des Moines Creek that could have also helped with the flood water during the recent storm.

Councilmember Pina feels a plan could be developed to do a sequence of projects that would minimize the likelihood of flooding in the future.

Stormwater Engineer Reinhold stated that a hydraulic study on the lower part of the creek has been completed and, assuming that the bypass and the regional facility is operating at its maximum, felt confident that the system would capture the majority of the effects of the storm.

Pictures were shown of the flood waters and the height of the water in different areas and the debris left behind. The Des Moines Creek Basin Committee is trying to obtain a dam certification on the Regional Retention Facility; one thing that needs to be accomplished beforehand is to repair the berm that is settling; once that is completed and the cement is poured, the certification will be given.

A substitute motion was handed out to the council. City Manager Piasecki discussed the plan for the dining hall project; funds are already earmarked within the current CIP. The plan is to raise the dining hall up out of the flood plain, in order to do that a new foundation has to be created. The first option is just to jack the building up and move it back and forth while foundation is being built. The other option would be to move the building to another location while the foundation is being laid. Once completed then the building would be brought back and placed on top of the new foundation. The engineers are concerned that delaying this project could make the building unsound to move at all and if another storm were to hit, it could knock the building down completely.

Planning, Building and Public Works Director, Grant Fredricks, feels that if the building is moved from over the stream where it sits now, that Fisheries will may not let the City move it back over the stream.

City Manager Piasecki stated that what is being asked of the Council tonight is approval of the emergency situation through the adoption of this Resolution. Then work will start to get a plan together and bring it before the Council for final approval.

**MOTION** was made by Councilmember Kaplan, seconded by Councilmember White to adopt resolution Draft Substitute Resolution 07-229A accepting findings that an emergency existed on December 3, 2007 which justified the City's entering into emergency contracts to evaluate and mitigate the effects of the heavy rain storm which acerbated the conditions of Des Moines Memorial Drive Slide area number two and the Beach Park Dining Hall creating an immediate threat to the road and the Dining Hall. Motion passed unanimously.

It was suggested that words "raised as" be removed from the second paragraph.

Patrice Thorell, Parks Director, told the Council that the structural engineers are coming out next week and they will be moving along at a pretty quick clip and it is hoped to have a remedy for that building in place by February.

Section two should read "Construction contracts". This will allow flexibility to make the process for the contract to be competitive, but maybe only open for a week or two as opposed to a month.

#### NEXT MEETING DATE

Mayor Pro Tem Thomasson noted the next regular meeting will be January 10, 2008.

#### ADJOURNMENT

At 10:23 p.m. **MOTION** was made by Councilmember Pina, seconded by Councilmember Kaplan and passed unanimously, to adjourn.

Respectfully submitted,

Lady of Letters, Inc.