

REGULAR MEETING DES MOINES CITY COUNCIL

MINUTES

March 27, 2008

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

PLEDGE OF ALLEGIANCE to the Flag was led by Councilmember Scott.

ROLL CALL - Present: Mayor Bob Sheckler, Mayor Pro Tem Dan Sherman, Councilmembers Dave Kaplan, Ed Pina, Carmen Scott, Scott Thomasson and Susan White. Also in attendance were City Manager Tony Piasecki, City Attorney Pat Bosmans, Planning Public Works Director Grant Fredricks, Parks and Recreation Director Patrice Thorell, Planning Manager Denise Lathrop, Land Use Planner II Jason Sullivan, City Utilities & Environmental Engineer Loren Reinhold, Transportation Engineer Dan Brewer and City Clerk Denis Staab.

COMMENTS FROM THE PUBLIC

Joseph Fugate, 13204 37th Avenue NE, Seattle

Mr. Fugate addressed Council regarding the disintegration of the United States economy and the need to put up preventative measures to safeguard home ownership to make sure we stabilize the community by protecting the banks, keeping people in their homes, and to ensure a successful recovery of our economy. He requested Council support an Act which has been endorsed by 80 cities across the United States and two State governments, to put pressure on the Federal Government. He felt current policies are harmful to the citizens, such as the Bear Sterns bailout, when what is needed is helping the chartered Commercial banks instead of brokerage houses and investment banks. He advised that the essentials of the Act he wants Des Moines to support is to create a Federal agency which will take under protection all State and Federally chartered banks, and to freeze all mortgages until they are adjusted to appropriate values and interest rates. He advised that during this transitional period all foreclosures will also be frozen to protect home owners and their communities. He distributed several pieces of literature for Council to review and requested time on a future Agenda for Council to consider a resolution supporting this Act.

Leandra Bernstein, 14041 30th Avenue NE, Seattle

Ms. Bernstein informed Council that she and Mr. Fugate are with the "Lydon LaRouche Youth Movement". She informed Council they are asking for a resolution to be sent to the Federal Government calling for a freeze on all home foreclosures and bankruptcy protection for all State and Federally chartered banks. She asserted that the Federal Government illegally bailed out the investment bank Bear Sterns, which will only escalate the devaluing of the dollar and potentially the global economy will collapse. She stated it is essential to re-capitalize protected banks and not let speculators collect on citizens savings. She requested Council consider adopting a resolution in support of Lydon LaRouche's steps to saving the nation's economy.

Mayor Sheckler gave Ms. Bernstein his business card, requesting they contact him in writing, stating what they would like to present to the City Council, and advised it is within his authority to determine whether he will place the item on a future agenda for Council consideration.

BOARD & COMMITTEE REPORTS & COUNCILMEMBER COMMENTS

Economic Development Forum

Councilmember Scott reported attending the Forum held yesterday at the Doubletree Inn in SeaTac. She advised it was very well attended, including an economist of national and international scale and a number of local businessmen and developers, who all spoke on their views. She noted everyone seemed to agree that Des Moines' has untapped potential with great opportunities. She stated the economist, Mathew Gardner stated that the Puget Sound region's growth is twice the national average, with 43,000 new jobs per year in the last three years, property foreclosures are quite low, prices are expected to go down slightly this year but going back up in 2009. Other speakers spoke about the advantage that SeaTac, Des Moines, Tukwila and Burien have in being close enough for business people to fly in hold a meeting, and fly back out, without having to spend extra money for an overnight stay. It was also pointed out that major employers are taking advantage of the better values in the South end with more economical land or leases, close to affordable housing for employees, with less time spent on the road meaning less money spent on gas. She concluded by noting that a local business person urged Des Moines to remember as we plan our Downtown Economic Development how important adequate parking is.

Public Safety and Transportation Committee

Councilmember Kaplan noted staff will be briefing Council on a couple of transportation issues during the meeting. He reported that the repairs on Des Moines Memorial Drive appear to be mostly completed and that the North Twin Bridge has had to be closed until some work can be done to stabilize one of the supporting piers.

Water Supply - Downtown Des Moines

Councilmember Kaplan felt that the communications between the Fire District and Water District #54 and have become ridiculous, and he is not sure who to trust or believe he offered the following:

MOTION was made by Councilmember Kaplan, seconded by Councilmember Pina, to direct staff to develop a proposal to hire an independent consultant, including costs, to review the fire requirements and the ability of the Water District to meet those requirements.

Councilmember Sherman offered a FRIENDLY AMENDMENT to direct staff to prepare a proposal, including costs. This was acceptable to the maker and seconder of the motion. He stated he also has concerns whether all the information he has been getting from the Fire and Water District, or the City staff, is correct. He hopes the City will hire someone he can have trust in for a real independent look. He felt the issues are what do we really need for fire flow in the Water District area, and what recommendations can be made for upgrades. He noted the fire flow needs in the Marina are extremely important.

Councilmember Kaplan further suggested that we may be able to work out an arrangement with either the Seattle or Tacoma Public Utilities, someone who handles both fire and water will be able to tell us where there may be holes or maybe we have not been asking the right questions. He expressed frustration with the lack of information being provided by the Water District and the apparent attitude of the Fire District in relation to working with the Water District, but stated the City has the responsibility to ensure that there is adequate water to supply our residents and businesses, now and in the future, and feels we need an independent look.

Councilmember Scott advised that at the earlier Municipal Facilities Committee meeting members were informed by the Harbormaster that trying to solve the Marina's fire fighting needs with saltwater could be so costly that it could push the City over the top financially in trying to update the Marina. She felt solving the Marina's fire fighting problems within the Water District system may be a more practical way to solve the problems.

Councilmember Pina noted there is enough water to provide drinking water, the issue is whether there is the necessary pressure to fight a major fire on existing structures and any future structures the City would like to see built downtown.

Mayor Sheckler expressed strong agreement with Councilmember Pina and advised he strongly supports the motion.

Councilmember Thomasson stated he is not opposed to the motion but expressed concern whether we can find one individual who is an expert on water systems and also on fire codes, so it may take a bigger package. He further noted that since this has not been placed in the budget he wants to see where staff will find the money. Also, since this is not currently on the City's work plan, he felt the City Manager may need to move other items further out and he felt this needs to be looked at.

City Manager Piasecki advised Council that regardless of the value of the contract he will bring it back to Council to decide if the consultant meets Council's expectations to get the information that can be trusted.

VOTE ON MOTION: Motion passed unanimously.

Economic Decline

Councilmember Pina stated that, in his opinion, the Country is entering into a major decline. He noted, at the moment, our area is not feeling it too badly. However, he feels it is imperative Council keep the future potential for economic decline in mind and look at the City's budgeting requirements with that thought in mind.

Thank You

Councilmember White expressed gratitude to Council and citizens alike for their concerns and well wishes for her recent "accident".

Municipal Facilities Committee

Mayor Pro Tem Sherman reported the Committee met earlier this evening. Items of discussion included:

- The Des Moines Creek Design and Permitting for dredging, berming and widening in the Beach Park, which will come before the full Council for approval of expenditure of funds.
- Saltwater pump in the Marina to provide water for firefighting. Fire District did not approve of this idea due to lack of training. Cost of \$1.5 million is extraordinary expensive. Will be looking at other methods and ideas.
- Requests for qualifications for professional services regarding the commercial development in the Marina. Exploring several methods to accomplish this.

He noted there were several items they did not have time to review such as an aquatic land lease with the State Department of Natural Resources for the Marina, the Parks and Recreation Master Plan and programming for the rehabilitation of the Beach Park Buildings. These items will be reviewed next week.

Suburban Cities Dinner Meeting

Mayor Pro Tem Sherman advised he attended the meeting last night. He reported that the Governor spoke about the State trying to be fiscally responsible and focused on the importance of international connections and tearing down the symbolic barriers between the eastern and western portions of Washington State.

PRESIDING OFFICER'S REPORT

Seattle South Side Forum

Mayor Sheckler reported attending the meeting with Councilmembers Scott and White. As a facilitator, he felt this was a well attended event with well over 170 people participating. He informed Council that a lot of great compliments were paid to Des Moines City Council, such as courage, determination, creation of public/private partnership, which was encouraging. He felt Council was being recognized in a very positive way, along with a lot of City staff.

ADMINISTRATION REPORTS

Storefront Studio - Project Update

Parks and Recreation Director Thorell reminded Council this project was budgeted for in the 2008 budget and we have since contracted with the University of Washington School of Architecture who will begin their activities in Des Moines starting next week. She advised that the primary goal for the Storefront Studio is to integrate and connect the historic downtown with the marina/waterfront areas of the City known as the "Marina District" to promote economic development and an enhanced pedestrian experience. The Marina District is located between Marine View Drive South and the Des Moines Marina and Des Moines Beach Park, and from Kent-Des Moines Road and South 227th Street to South 216th Street at Des Moines Memorial Park. She advised that the Storefront Studio office will be located at 22007 Marine View Drive South and will hold open houses on Fridays, on April 18th, May 9th and June 6th from 3 p.m. to 6 p.m.. She further noted there will be a kick off stakeholders meeting on April 2nd from 2 p.m. to 5 p.m. in the Police Service Center meeting room.

North Twin Bridge Footing Repairs

Transportation Engineer Brewer informed Council that yesterday City staff was advised by our geotechnical engineer that the spread footings on the bridge seemed to be undermined. Through the use of a diagram, he showed the area where there is a void almost all the way across a footing on the south end of the bridge, stating that the one column has no structural support underneath it. He reported happenings as follows:

TODAY

- Road Closed - Detour route 90% established
- Superstructure Inspected - No damage to structure
- On site meeting with contractor, structural engineers & geotechnical engineer

MARCH 28TH

- Finish Detour route signing

- Contractor to work on site prep
- Initial geotechnical exploration work

MARCH 31ST

- Geotechnical exploration and drilling work

He informed Council that the geotechnical report and recommendations should be received by Wednesday April 2nd and construction and restoration work will be begin as soon as possible. The goal is to reopen the roadway as soon as feasible, but expect a 3 to 4 week closure. Preliminary costs estimates are in the \$80,000 - \$100,000 range.

City Manager Piasecki noted he has distributed a memo declaring an emergency and will have a draft resolution with written findings for Council's approval at the meeting of April 10th.

Council Retreat - Saturday, March 29th

City Manager Piasecki distributed packet material for the retreat for Saturday, scheduled for 9 a.m. to 3 p.m.

Sound Transit

City Manager Piasecki reminded Council that Sound Transit is in the final stages of deciding whether or not they will put a ballot proposition before the voters this November. He noted it has been reported in the press that the light rink rail will only extend to South 200th Street. He advised that in the next few months Sound Transit will determine, what if anything, they will do this Fall. He stated he will be bringing Council more information in the next few weeks and a request as to whether Council wishes to take a position on where Sound Transit is going, send a letter, or be present at meetings to state the City's position on the issue.

Economic and Residential Real Estate Market Trends and Outlook

Mayor Sheckler advised he has distributed the written material that was used at the Seattle South Side Forum for Council's review.

CONSENT CALENDAR was read by City Clerk Staab.

1. Motion is to approve the special and regular minutes of February 28 and March 6, 2008.
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 #113547 through #113729 & electronic fund transfers in the total amount of \$739,392.18

Payroll fund transfers in the total amount of \$334,809.45

3. Motion is to authorize the City Manager to sign the 2008 State of Washington Intergovernmental Cooperative Purchasing Agreement for Public Agencies substantially in the form as submitted.
4. Motion is to authorize payment of registration and travel expenses of approximately \$600 for Councilmember White to attend the Planning Association of Washington and Washington Trust for Historic Preservation Annual Spring Conference in Chelan, April 30-May 1, 2008.
5. THREE MOTIONS:

A. Motion is to approve Part 2 of the Task Order Assignment to KPFF Consulting Engineers, Inc. for the preliminary design for seismic retrofit and upgrades at the North Twin Bridge in the amount of \$42,048, bring the total amount for the Task Order Assignment to \$90,693, authorize the City Manager to approve task order supplements as necessary up to an amount of \$10,000, and further authorize the City Manager or his designee to sign said Task Order Assignment, substantially in the form as submitted.

B. Motion is to approve Part 2 of the Task Order Assignment to KPFF Consulting Engineers, Inc. for the preliminary design for seismic retrofit and upgrades at the Saltwater Park Bridge in the amount of \$87,943, bringing the total amount for the Task Order Assignment to \$137,617, authorize the City Manager to approve task order supplements as necessary up to an amount of \$14,000, and further authorize the City Manager or his designee to sign said Task Order Assignment, substantially in the form as submitted.

C. Motion is to direct Administration to propose CIP budget amendments reallocating funds between the approved North Twin Bridge and Saltwater Park Bridge project budgets consistent with Council approved task order assignments.

In reference to Consent Item number 5, Councilmember Thomasson commented that he wants more assurance in the future that Council's resolution of authority will be followed more closely.

Councilmember Kaplan agreed with Councilmember Thomasson, but noted that there was a gap in Council meetings, therefore the City Manager took steps to ensure the projects would not be held up and to keep us eligible for the Federal bridge funds time line.

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

CONTINUED PUBLIC HEARING

Draft Resolution No. 08-004 [ASSIGNED NUMBER 1069] Pacific Heights Planned Unit Development (PUD) Subdivision File #LUA06-037

Mayor Sheckler introduced the subject and advised Council left off with staff's rebuttal of public testimony and whether there had been any misstatements of fact.

Land Use Planner II Sullivan noted that City of Federal Way Traffic Engineer, Rick Perez, was discussing issues of traffic delay and cut-through traffic, and turned the microphone over to him to finish his presentation.

Mr. Perez advised that the City of Federal Way has concerns over the impacts of traffic to Applewood and other neighborhoods to the south of the development. He displayed graphics depicting various traffic routes, and informed Council that he has conducted a travel time study from various points around the neighborhoods to determine the most convenient way for people to get in and out. He noted traffic cut-through may be mitigated by utilizing traffic calming elements while improving safety in the neighborhoods. He advised the fastest way out of the northern portion of the neighborhood is to use South 279th over to Pacific Highway South, out of the southern portion through the new development. He noted there is only a 30 second difference between cutting through the neighborhood instead of using signal at South 288th. Therefore he felt if you can increase the travel time through Applewood and Pacific Place by utilizing traffic calming methods, we can eliminate the cut through issue. He also felt there is a need for traffic calming in the Redondo Riviera area to reduce problems in the south end. He

advised that conversations will continue with neighborhoods to see in the installation of speed humps is acceptable, but speed humps are what he recommends and they are consistent with the settlement agreement. He noted the applicant is willing to provide speed humps in Pacific Place as well.

Councilmember White questioned whether the applicant is going to provide the same for the Marlbrook neighborhood. Mr. Perez replied there is no need in the Marlbrook neighborhood.

As administration had no further presentation at this time, Mayor Sheckler inquired of Council as to whether they had any questions for opponents, proponents or staff.

Upon questioning, Mr. Perez advised he conducted his travel time studies around 3:00 p.m. He noted at the intersections where he was most concerned he used a capacity analysis software to generate delays associated with the traffic signal and stop signs.

Councilmember Thomasson felt that most of the trips Mr. Perez mentioned do not meet what he would consider "cut through", most of them were people going into the neighborhood. He felt cut through would be people heading to Federal Way and using the neighborhoods as a quicker route. He felt some of the alternative routes are ways that actually lessens traffic on 16th Avenue South which is more dangerous.

Mr. Perez agreed that 16th Avenue South feels dangerous, with narrow lanes and a steep drop off, and no sidewalks. He stated it is difficult to forecast how does the safety impact of additional traffic on 16th Avenue compare to additional traffic through Applewood. On the other hand, he pointed out, that 16th Avenue South does not have single family residential fronting it, therefore residents are not directly impacted by any increase in traffic. He noted despite the fact that 16th Avenue South feels dangerous, the collision history does not suggest that we have a terrible issue that the City needs to address.

In response to questioning, Mr. Perez agreed that the mitigations that were included in the original settlement agreement address the traffic concerns that Federal Way might have.

Councilmember Thomasson stated for the record that he owns a lot in Marlbrook.

Mayor Pro Tem Sherman noted that lots 1 through 30 are in the City of Federal Way, but the drainage will go into the wetland that Des Moines is responsible for. Therefore he questioned whether Des Moines will bill Federal Way, or will these homes be in Des Moines surface water billing.

Upon questioning by Mayor Pro Tem Sherman, City Utilities & Environmental Engineer Reinhold advised that as part of the building permit fees the City will collect hook-up charges for those lots that are in Federal Way, generating about \$1,000 per lot. He stated traditionally we will not be collecting fees from another City. He noted that there are areas all over the City where we have drainages going into the City's conveyance system and then into the Sound, and we have drainage that actually goes into Normandy Park. Therefore, unless it actually drains into a facility that we are maintaining we do not charge fees. He noted that the wetland requires quite minimal maintenance, however if the lots drained into the actual detention facility for the Plat then he would recommend that the Interlocal with Federal Way be amended to charge them.

8:52 p.m. Mayor Sheckler called for a 10 minute break.

Councilmember Thomasson noted he had a question about the agreement that talked about the rezone to RA 3600 asking why was it not done when the agreement was signed, as it has not been initiated or completed over a long period of time. He felt it is important to have the zoning and land use be in accordance with what has been improved on it and he felt it should be moved forward.

City Manager Piasecki advised that the rezone is part of the settlement agreement, but after the agreement was done, nothing has happened. He stated he cannot see any reason why that process cannot be initiated by the City of Des Moines side now. It will require a comp plan amendment which we do once a year at the end of the year. He stated this should have no material effect on the Council's ability to approve the subdivision tonight and for the applicant to get started on developing the property, at the same time we can ask Federal Way do their rezoning.

Land Use Planner II Sullivan advised that all of the questions that were presented to staff, along with the answers, are part of the record as included in Council's packet.

In regards to the short stub road, South 282nd Street, Councilmember Thomasson noted it does not meet street standards. He felt it cannot be extended because it overlaps the lot below it. He further noted the road runs into a wetland area in Tract B and the headwaters of a stream. Since the road does not line up well, goes no where and runs into sensitive areas he felt it cannot be extended and it could be laid out to either allow the developer to widen it into a cul-de-sac and it might make some of the lots that are small and skinny, like Lot 65, able to have more space. He questioned whether the developer might devise a way to do a better street end, or make it a private road.

Transportation Engineer Brewer advised that he personally did not look at the lots to the west, or the feasibility of connecting the road. However, he noted the stub out is consistent with what was in the illustrative site plan, and staff did not look at modifying the road in any way. Upon questioning, he stated the City would want to preserve connection to other neighborhoods, or the ability to eventually extend over to 13th Avenue to have interconnection between the neighborhoods.

Cory Martin, representing the Developer of the project informed Council they inherited the connection and the way it is configured. He felt the road way could be put through with a sidewalk to the south side, but not until someone does something with the existing structure on the lot outside of the development. In response to questioning as to whether the street end could be restructured, Mr. Martin stated they have not studied such an issue as they did not want to make any major changes to the existing agreement.

Mayor Pro Tem Sherman expressed concern with the stub road for large delivery vehicles, garbage trucks, etc. being able to turn around and felt this is a significant problem.

Mr. Martin stated that if the street was not ever going to be put through, then they could possibly accommodate a turn-around, but it would depend on how it is looked at as to whether this would be a major or minor change.

Transportation Engineer Brewer added that if we leave the right-of-way as it is shown, we might be able to end the improvements further up and just have driveway extensions instead of a stub street. This would hold the physical improvements to the street back further.

Councilmember Thomasson noted in the Settlement Agreement, Item G talks about how the site plan can be amended in writing by the 3 parties and there is some language in Exhibit C which talks about minor amendments with two weeks notice. He felt these two things seem to be in conflict with each other. He questioned the City Attorney on what is a minor versus major deviation and how does Federal Way speak and who speaks for them.

City Attorney Bosmans pointed out that sub item G, is a standard process for amending an agreement, and the contract itself generally distinguishes between minor and major amendments. This standard language just says that Granville (its successors or assigns), Des Moines and Federal Way may amend the agreement. She noted the paragraph above item G talks about 14 days where the City can take minor deviations to Federal Way to allow for their comment, and absent their comment, is assumed to be accepted. It is her understanding changes have been taken to Federal Way and there were no objections, which is the process the contract provides for.

Upon questioning, Mr. Martin assured Councilmember Thomasson that all driveways are a minimum of 18 feet to the garage.

As there were no further questions, Mayor Sheckler declared the Hearing CLOSED.

MOTION was made by Councilmember Pina, seconded by Councilmember White, to adopt Draft Resolution 08-004 included as Attachment 13 to the February 28, 2008 Administration Report approving a Planned Unit Development Subdivision entitled Pacific Heights including modifications to the Illustrative Site Plan included as part of the Agreement as illustrated in Exhibit B of Draft Resolution 08-004.

Councilmember Sherman felt we should collect the surface water management fees on the properties that are located in Federal Way since clearly the drainage is into Des Moines' wetland that we have responsibility for.

City Manager Piasecki advised that the City Attorney feels it is not appropriate to make this a condition of approval of the subdivision, but it is something that you can direct staff to negotiate with the City of Federal Way.

Council's consensus was to direct staff to negotiate the SWM fees with the City of Federal Way.

Councilmember Sherman expressed concern with the street end for South 282nd as it just does not make sense and he would like staff to work with the developer to allow for better vehicular movement.

City Manager Piasecki noted that tonight Council is being asked to approve a 'preliminary' plat and when all the improvements are done and it is ready to be approved as a 'final' plat it will come back to Council. He felt during the process of putting together the civil plans to actually build the improvements, the developer can make some minor changes that will take care of the

turn around problem, then Council can approve it. He felt given the Settlement Agreement, Council cannot compel it as a condition on the preliminary plat.

Mayor Sheckler stated Council is just trying to make it very clear, on the record, that there is an issue with South 282nd street end and encourage the developer to improve it.

MOTION was made by Councilmember Thomasson, seconded by Councilmember Sherman, to amend the original motion to add that South 282nd Street may be deleted, and Tract B Lots 60 though 70 may be adjusted to eliminate the dead-end South 282nd Street at the developer's discretion. (Determined not to be necessary. See Friendly Amendment below.)

Land Use Planner II Sullivan suggested the language should be that Council encourages the Developer to find a solution to address the turn around concerns, to include the items as discussed, or other options that would be viable.

City Manager Piasecki advised that staff can add a Finding of Fact and a condition to the resolution that accurately reflects Council's concerns. This was accepted as a FRIENDLY AMENDMENT to the original motion.

Councilmember Thomasson advised that he raised a question about sidewalks from 15th Avenue South to either 16th Avenue South or Highway 99 and felt there should be a Finding requiring one, and if the City needs to build it then the condition should be on us to do it. He felt that the City needs to provide safe walking to Highway 99.

Councilmember Kaplan expressed disagreement with Councilmember Thomasson. He felt the State made decisions relative to the ingress/egress related to South 279th and Pacific Highway South where they come together as part of the roadway improvements for Federal Way. He also felt these improvements may be having an impact and may be related to improvements that may need to be made on the current spur on 16th Avenue South between Pacific Highway South and either 272nd or some other access. He felt this is a larger topic that needs to be addressed in terms of access in that part of town to Pacific Highway South, but not part of this process.

Councilmember Pina expressed agreement with Councilmember Kaplan.

Councilmember Sherman stated that if South 279th right-of-way is in Des Moines, which it is, then it is Des Moines responsibility to put in some sort of protective walkway, but it should not be a requirement of this process. He felt this walkway should be included in the CIP.

Upon questioning, Mr. Perez stated the City of Federal Way Code would require frontage improvements on South 279th should that property redevelop.

Upon questioning, Transportation Engineer Brewer expressed the opinion that the City should be required to match in-kind some traffic calming within Redondo Riviera to mirror a similar kind of treatment through Applewood, you could focus additional traffic flow through Redondo Riviera. He informed Council that a traffic study has concluded this is necessary.

City Manager Piasecki suggested there should be direction from Council to staff to include this in the next Arterial Streets CIP.

VOTE ON MOTION: Motion passed unanimously.

MOTION was made by Mayor Pro Tem Sherman, seconded by Councilmember Kaplan, to direct the staff to include traffic calming measures in the Redondo Riviera Area in the next Arterial Streets CIP.

Councilmember Thomasson advised he would support a sidewalk being added, he felt traffic calming measures are not always welcomed by the neighborhood. He noted our Traffic Calming Program requires that a neighborhood bring an issue to the City for us to determine what is needed. He stated he would rather wait and see if the neighborhood comes to us with an issue as opposed to making a decision to impose a change that we do not know if the neighborhood supports or not.

City Manager Piasecki suggested that Council direct staff to follow our Traffic Calming Policy.

VOTE ON MOTION: Motion failed 5 to 2 with Councilmember Kaplan and Mayor Pro Tem Sherman voting yes.

MOTION was made by Mayor Pro Tem Sherman, seconded by Councilmember Thomasson, that the City install some kind of separated pedestrian walkway from this community, connecting the sidewalk up to Highway 99.

Councilmember Pina expressed opposition to the motion stating we are talking about spending money to do something that we don't know if we are going to need. He felt the project will probably take about 2 years to develop and he would rather see what happens in the meantime.

VOTE ON MOTION: Motion failed 4 to 3 with Councilmembers Scott and Thomasson, and Mayor Pro Tem Sherman voting yes.

10:01 p.m. Councilmember White left the meeting.

OLD BUSINESS

Draft Ordinance No. 08-045 [ASSIGNED NUMBER 1070] Amending DMMC 3.26 City Contracting - 2nd Reading and Draft Resolution 08-038 [ASSIGNED NUMBER 1430] Revising City Manager's Contracting Authority

Planning, Building & Public Works Director Fredricks informed Council that per their direction at the March 13th meeting, the draft ordinance has been revised to address issues raised by Council. He further advised that a draft resolution has been prepared for Council's consideration that increase the City Manager's authority to sign consultant and constructions from \$20,000 to \$50,000. He distributed a chart depicting other cities City Manager authority dollar amounts for approval of public works budgeted items, noting Des Moines is near the low end.

MOTION was made by Councilmember Kaplan, seconded by Councilmember Thomasson, to amend DMMC 3.36 by adopting Revised Draft Ordinance No. 08-045 raising the small works roster limits from \$100,000 to \$200,000, authorizing alternative small works roster processes, and modifying publication, contract award and award listing procedures. Motion passed unanimously.

MOTION was made by Councilmember Kaplan, seconded by Councilmember Thomasson, to adopt Draft Resolution No. 08-038 revising policies governing City Council participation in public contracts, consolidating and superseding Resolutions 1056 and 1067, and increasing the City Manager's authority to sign consultant and construction contracts from \$20,000 to \$50,000 without appearing before Council on the Consent Calendar. Motion passed unanimously.

Interlocal Agreement for the Midway Planning Project

Planning Manager Lathrop noted the purpose of this agenda item is to obtain Council approval of an Interlocal Agreement with the City of Kent for the Midway Planning Project. She noted that the Stakeholders Committee is made up of a group of key property owners in the area, as well as transit agencies, new property developers, residents, elected representatives, and Planning Agency members. She noted their role is to provide policy guidance.

Upon questioning, Planning Manager Lathrop stated that by approving the Interlocal Agreement, no one will be coming back asking for money.

MOTION was made by Mayor Pro Tem Sherman, seconded by Councilmember Kaplan, to approve the Interlocal Agreement with the City of Kent for the Midway Planning Project and authorize the City Manager to sign the agreement substantially in the form as submitted.

Councilmember Thomasson referenced page 2, A.6 suggested the word 'reflecting' to "considering". This was accepted as a FRIENDLY AMENDMENT by the maker and seconder of the motion. On page 2, A.9 he suggested the whole item be deleted.

City Manager Piasecki advised that this is a consideration and Council is not obligated to adopt. He suggested on A.9 the word 'will' be changed to "may". This was accepted as a FRIENDLY AMENDMENT by the maker and seconder of the motion.

Councilmember Kaplan requested in Item A.5, last sentence the word 'will' be changed to "should". This was accepted as a FRIENDLY AMENDMENT by the maker and seconder of the motion.

Councilmember Thomasson referenced page 3, D.1 requesting the word 'preferred' be changed to "proposed". This was accepted as a FRIENDLY AMENDMENT by the maker and seconder of the motion.

VOTE ON MOTION: Motion passed unanimously 6 to 0.

NEXT MEETING DATE

Mayor Sheckler advised that the next meeting will be a Special Meeting on Saturday, March 29, 2008 and, the next Regular Study Session will be April 3, 2008.

ADJOURNMENT

At 10:20 p.m. **MOTION** was made by Mayor Pro Tem Sherman, seconded by Councilmember Pina and passed unanimously, to adjourn.

Respectfully submitted,

Denis Staab, City Clerk