

REGULAR MEETING DES MOINES CITY COUNCIL

MINUTES

August 7, 2008

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

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

ROLL CALL - Present: Mayor Bob Sheckler, Mayor Pro Tem Dan Sherman, Councilmembers Dave Kaplan, Ed Pina, Carmen Scott and Susan White. Absent: Councilmember Scott Thomasson. Also in attendance were City Manager Tony Piasecki, City Attorney Pat Bosmans, Finance Director Paula Henderson, Planning, Building and Public Works Director Grant Fredricks, CIP Project Manager Scott Romano, Associate Transportation Engineer Brandon Carver, and City Clerk Denis Staab.

MOTION was made by Mayor Pro Tem Sherman, seconded by Councilmember White and passed unanimously, to excuse Councilmember Thomasson.

COMMENTS FROM THE PUBLIC

Richard Anderson, 813 South 227th Place

In regards to the discussion tonight on 8th Avenue South Traffic Revision, Mr. Anderson spoke in support of making 8th Avenue S one-way northbound between South 223rd Street and Kent-Des Moines Road.

Richard VanDyk, 10314 Thomas Road, Gig Harbor (Owner of Auntie Irene's)

In regards to the discussion tonight on 8th Avenue South Traffic Revision, Mr. VanDyk spoke in support of keeping 8th Avenue South as it is. He felt if it is made one way from S 223rd to Kent-Des Moines Road it should be southbound because if it is northbound traffic people leaving his building would have to go north making it difficult to take a left onto Marine View Drive and go across 2 lanes of traffic.

Hidi Cramer, 22422 8th Avenue South

In regards to the discussion tonight on 8th Avenue South Traffic Revision, Ms. Cramer stated both she and her husband support the idea of making the street one-way in either direction, as visibility is a major issue due to how narrow it is, which poses a problem for pedestrians. She felt making it north bound would help with commuters using 8th Avenue as a Marine View Drive by-pass. She also felt a benefit to making it one-way is that a wide shoulder could be added for bikes and pedestrians. She encouraged enforcement of no street parking on 8th Avenue South.

Brian Greenberg, 303 10th Avenue, Seattle (Representing Dom Construction on 8th Avenue South)

In regards to the discussion tonight on 8th Avenue South Traffic Revision, Mr. Greenberg noted one-way or leaving as is makes no difference to him. He advised that completion of the Dom Construction site has been stalled for about 2 months because of the lack of decision regarding the traffic issues on 8th Avenue S. He requested an early resolution so he can proceed with installing a sidewalk, which is required by the City to complete their project.

Philip Johnson, 22555 10th Avenue South

Mr. Johnson informed Council that he recently held a "Block Watch" meeting with 10 families in the area of 8th Avenue South in attendance and none of them are in favor of making 8th Avenue South one way in either direction.

Hal Nelson, 24034 24th Avenue South

Mr. Nelson referenced the discussion item of Draft Ordinance No. 08-122 Street Vacation. He advised that he spoke with a representative of Puget Sound Energy concerning a potential for gas service in the neighborhood and was advised a gas line can be installed and where it would be located would depend on the number of residences involved. He noted that in future vacation requests he would encourage Council to provide pedestrian access routes as he feels it is important to encourage neighbors socializing and keeping an eye on neighboring properties.

Jon Rinker, 28091/2 Mt. Rainier Drive S, Seattle

Mr. Rinker informed Council that he has deep family roots with Des Moines and is purchasing the 7-11 Store at 820 Kent-Des Moines Road. He stressed that in order to redevelop this commercial property it is important to have viable unobstructed access options, which includes from 8th Avenue South as well as Marine View Drive. He informed Council it is his opinion the largest problem with 8th Avenue South is the "short-cut" commuters using it to avoid Marine View Drive. He noted he is not against staff's options but he really needs access to South 227th via 8th Avenue South for his business venture.

Ms. Dickson, 24016 13th Avenue South

Ms. Dickson informed Council that she and her husband own rental property on the west side of 8th Avenue South and they would prefer that if 8th Avenue South is one way that it be southbound as they have concerns for their tenants to have proper ingress/egress.

DISCUSSION ITEMS

Registration and Travel Expenses to National League of Cities Conference

Mayor Sheckler introduced the subject.

MOTION was made by Councilmember White, seconded by Councilmember Pina, to authorize payment of registration and travel expenses of approximately \$2,858 for Mayor Sheckler to attend the National League of Cities 'Congress of Cities' Conference in Orlando, Florida, November 11-15-2008.

Mayor Pro Tem Sherman questioned what classes that the Mayor feels will be beneficial to the City that he is planning on attending.

Mayor Sheckler advised he would be happy to share the information on the workshops and let Council review which classes they feel would be most beneficial and he will sign up for them.

VOTE ON MOTION: Motion passed unanimously.

Draft Ordinance No. 08-122 [ASSIGNED NO. 1435] Cooper Right-of-way Vacation - 2nd Reading

In response to Council's request at the July 24th Public Hearing, CIP Project Manager Romano noted that Puget Sound Energy (PSE) gas was contacted and that PSE does not want a gas

easement retained through the proposed vacation area. He further advised that Councilmember Thomasson requested some minor changes to the legal descriptions and those that were appropriate have been incorporated.

MOTION was made by Councilmember Pina, seconded by Councilmember Kaplan, to adopt Draft Ordinance No. 08-122 approving a request to vacate certain portions of public right-of-way at South 241st Street and 24th Avenue South more specifically identified and legally described in said ordinance.

Mayor Pro Tem Sherman expressed appreciation for staff clarifying with Puget Sound Energy that a gas easement is not required.

Councilmember Scott voiced agreement with public speaker Mr. Nelson on his concept that whenever there is an opportunity for pedestrian access through neighborhoods that it is good to encourage as it does promote a healthier environment.

VOTE ON MOTION: Motion passed unanimously 6 to 0.

Mayor Sheckler read the ordinance by title into the record.

City Manager Piasecki noted for the record, that since she was absent from the meeting, Councilmember White did review the Council video of the Public Hearing on July 24th and therefore she is eligible to vote on this matter.

8th Avenue South Traffic Revision

Associate Transportation Engineer Carver advised that the study of 8th Avenue South was bordered on the north by South 223rd and Kent-Des Moines Road on the south. He pointed out that in this stretch there currently only exists 30 feet of right-of-way northward to 225th Street. He proceeded to point out that concerns were raised about safety and the following findings resulted from the study:

- Sight distance concerns
- Narrow local road (18 feet of pavement)
- Typical volumes are 1,200 per day (local roads are typically less than 1,000)
- Lack of sidewalk/defined walkway
- Development/frontage improvement concerns and issues

He advised that traffic data gathered showed approximately 1,180 vehicles per day (650 northbound and 530 southbound), 3 reported accidents in last 3 years, with average speeds between 20 MPH and 22 MPH. He further advised that a minimum local road two way cross section does not fit, as the standard 37 feet required is beyond the 30 foot right-of-way that is available. He proceeded to review suggested alternatives, which included some suggestion from the Public Safety and Transportation Committee as follows:

- *Do Nothing:* Still leaves sight distance concerns & issues with development frontage on 8th Avenue would remain.
- *Expand Right-of-way:* Extremely long timeframe and could be costly.
- *Traffic Calming Only:* Current speeds do not warrant and the issues with frontage development and sight distance remain.
- *Close 8th Avenue at South 227th Street:* Issues with development and sight distance still remain.

- *Minimum 2 way cross-section with sidewalk on West Side:* Roadway would need to shift eastward and take up entire right-of-way (perceived private landscape), no buffer between edge of road and east side utility poles.
- *One-way Option - Southbound:* Solves development concerns, improves sight distance and provides plan for walkway.
- *One-way Option - Northbound:* Same benefits as southbound with additional signal timing benefit at Marine View Drive/8th Avenue and Kent-Des Moines Road.
- *Close 8th Avenue South at South 227th Street with southbound north of South 227th and northbound south of South 227th Street:* Provides improvements to sight distance, walkway and frontage. *However,* creates new concerns with traffic control at South 227th Street/8th Avenue and impacts properties accessing South 227th Street.

Associate Transportation Engineer Carver noted that staff's recommendation is one-way northbound on 8th Avenue South between South 223rd Street and Kent-Des Moines Road. While there will be some redistribution of traffic patterns, he feels those impacts will be far less in terms of safety benefits, than will be received. He described a one-way cross section in a 30 foot right-of-way having a 6' sidewalk on the west side, a 12 foot travel lane and provide 5' asphalt walkway/bike lane on the east side. He noted besides the folks that spoke earlier he had 9 responses with mixed feedback as follows:

- 3 in favor of northbound
- 1 in favor of southbound
- 1 wanted roadway widened
- 2 wanted speed humps
- 1 wanted speed humps and all-way stops at one or all of the side streets
- 1 in favor of closing 8th Avenue between South 226th and South 227th

Mayor Pro Tem Sherman stated that 8th Avenue South is the only access to his property and stated there are more than a dozen other properties that have 8th Avenue as their only access. He acknowledged that 8th Avenue is a popular cut-through street and felt that is the real problem. His preference is to return the street to local access, however he noted there are other issues such as whether there is ever going to be a sidewalk, should it be one-way or two-way. He pointed out that the 30 foot right-of-way came from donations of the property owners on the east side of 8th Avenue South, to get access to their property. In looking at ways to discourage cut-through traffic he felt stops signs at each intersection could work, or closing it off at the S. 227th intersection and would restore it as a local access road. He advised that whatever method is determined he would prefer a trial period of say six months to determine if there are any problems and receive feed-back from the residents. He advised that he does not favor condemning property to widen the roadway.

Councilmember Pina advised he would prefer the option of one-way north bound with a sidewalk as the best solution. He also felt it would be important to add marked cross walks at all intersections.

Councilmember Kaplan noted this was discussed alot at the Committee level and an important safety concern was to install a sidewalk, and to provide access to the commercial property (7-11 Store site). He also likes the idea of making the very southern portion a dead-end while still providing access for the commercial properties. He advised he is favoring staff's recommendation of one-way northbound.

Councilmember White spoke in favor of using traffic calming and prefers the northbound one-way option.

City Manager Piasecki commented that as the properties redevelop on the west side 8th Avenue, from 223rd to 227th, if Council chooses staff's recommendation, sidewalks will get built and will eventually make one connected sidewalk.

Councilmember Scott commented that considering the state of the City's budget, she feels stop signs at each intersection with marked crosswalks would be the cheapest and quickest way to make a difference. She cautioned about making a hasty decision to make 8th Avenue one-way without taking into account about how it would effect the profitability and the existence of the businesses that are there now and how they are used. Her preference is to install the stop signs and see what impact that has while doing more studies as to making 8th Avenue one-way in either direction.

Associate Transportation Engineer Carver noted from an engineering perspective it is not good practice to use stop signs for volume or speed control. He cautioned against using stop signs and noted there are federal guidelines that govern their uses. In regards to traffic calming in general, he noted the speed samples staff took do not match up with Code requirements but since it is a local road it is eligible in that sense for speed humps or other devices.

City Manager Piasecki reminded Council there is not a major speeding issue on 8th Avenue. The main issue is sight distances and second, it is a very narrow road and we want to create more safety with a sidewalk and provide more surety for the development that will occur on the west side of the road.

Mayor Sheckler commented that most of the traffic on 8th Avenue appears to be there to avoid Marine View Drive therefore he felt one-way north as staff's recommends would most likely reduce the volume. He felt this could be a 6 month temporary basis to determine if this works. He felt Council needs to keep in mind what benefits the residents the most.

Councilmember Pina stated he likes the idea of a trial period but felt a year would be better, as driving conditions in the winter are much different that in the summer. While he does not favor stop signs, he strongly supports marked cross walks.

Councilmember Kaplan noted a trial basis is interesting, but the problem is that the City still needs to be able to provide direction to anyone who may be building between Marine View Drive and 8th Avenue South. He noted one business is waiting on Council to make a decision (Dom Construction) and he noted there is bound to be others and we need to give them direction. He felt doing a trial run does not provide any direction and he felt that is what needs to be done. He noted Council can decide to make the road one way, but still can reverse the direction if we determine that is better. He felt by not making a firm decision Council is not helping anyone.

Councilmember Scott spoke in support of a one year trial. She felt if we determine the sidewalk will be on the west side of 8th Avenue we can at least paint a white line so businesses would know where the sidewalk needs to be.

City Manager Piasecki advised that what staff can do, Dom Construction in particular, is get a payment in lieu from them, so a sidewalk can be constructed when the trial is done, or if we decide to change the Code and not require a sidewalk, we can refund that in lieu fee. This can be done with any developer who may come in during a trial period.

Mayor Pro Tem Sherman felt this is an unusual street situation therefore he felt there may be some "out of the box" answers for this situation. He suggested that the Dom Construction site might be a great place for all way stop signage due to the ingress and egress of their site. He also noted it might make sense to establish a minimum lot size for those properties on the south end of 8th Avenue between Marine View Drive and 8th Avenue South. He would prefer a trial period.

MOTION was made by Councilmember Pina, seconded by Councilmember White, to ratify the conclusions of the Transportation Engineering 8th Avenue South Traffic Study and accept the recommendation to limit the operation of 8th Avenue South to one-way only in the northbound direction between South 223rd Street and Kent-Des Moines Road as soon as possible for a one year trial period. Motion passed 5 to 1 with Mayor Pro Tem Sherman opposed.

City Manager Piasecki questioned whether Council is interested in entertaining a modification to the Code that would provide limited access to the commercial property from 8th Avenue South on the east, south of 227th. Council consensus was to move forward with such a modification.

8:58 p.m. Mayor Sheckler called for a 10 minute break.

Arterial Street Fund Policy Discussion & Award Des Moines Memorial Drive Paving Contract

Planning, Building and Public Works Director Fredricks noted that there is a projected negative fund balance between \$530,000 to \$1,445,000, with the amount depending upon which projects Council wishes to pursue. He summarized the reasons for a \$4,668,000 negative fund balance as:

- Unfunded Projects & Emergency Repairs in the amount of \$681,000
 - \$308,000 North Twin Bridge Abutment Foot
 - \$276,000 Des Moines Memorial Drive Slides
 - \$55,000 Saltwater Bridge Repairs
 - \$53,000 Pacific Highway South Median Enhancements
- Reduced Revenues - \$3,987,000
 - \$3,600,000 - delay in receiving Des Moines Creek Business Park right-of-way Vacation Payment
 - \$387,000 - lower Transportation Impact Fees

Planning, Building and Public Works Director Fredricks noted staff has already done several things to address the negative fund balance including:

- Excellent project Delivery for the following: 16th Avenue South project completed under budget, their approach to North Twin Bridge Repairs, and combing several projects
- Put additional discretionary spending on hold
- Strategically prioritized balance of 2008 program based on: Council priorities, economic impact, budget impact in 2009/2009 & 20 10 and existing contracts and commitments

He continued by requesting policy direction from Council on:

- Continue with recommended projects or delay additional spending?

- Direction on how to provide 6 to 12 months of interim financing to cover negative fund balance until the Port's \$3.8 million is received.

Upon questioning as to when the City might receive the Port's funds, City Manager Piasecki estimated to the middle or end of the second quarter in 2009.

Planning, Building and Public Works Director Fredricks continued by reviewing staff's recommendations for 2008 authorized or additional spending in the amount of \$914,000 by:

1. Complete Des Moines Memorial Drive paving - \$184,000 (Award bid tonight)
2. Complete Comprehensive Transportation Planning - \$164,000
3. Complete ROW negotiations for 216th at Marine View Drive - \$70,000 (Need to obtain Block Grant Funds)
4. Complete 2009 Pavement Management Design in-house - \$80,000
5. Begin 216th Planning, surveying & pre-design from Post Office to Hwy. 99 - \$404,000 (Needed for Bartell's expansion plus Des Moines Creek Business Park Development)
6. Complete Redondo Boardwalk repair pilot - \$12,000

Councilmember White noted in regards to Item 6, she is trying to arrange meetings with Mayor Sheckler and King County representatives to see if we can obtain some funding help. She also noted that Item #5 is important to keep up with the Business Park Development. She remarked these are some tough decisions.

Planning, Building and Public Works Director Fredricks remarked that there are several funding options for Council to consider, such as:

1. Borrow money from ourselves in the form of an Interfund Loan
2. Public Works Trust Fund Loan available for planning & pre-construction - can provide up to a \$1 million loan authority, if successful at ½ of 1% to 2% interest, and can extend up to 20 years - Would need to apply by 4th of September to apply for loans which would be approved the first week in October (Can be done on a draw basis)
3. Councilmanic Bonds
4. Bank Line of Credit

He proceeded to review potential sources of Interfund Loans as Revenue Stabilization Fund, Marina Revenue Fund, Marina Repair & Replacement Fund, Surface Water Operations Fund, Equipment Rental Replacement Fund and Unemployment Insurance Fund.

City Manager Piasecki noted the projected end of the year fund balance for all the funds is \$4.7 million and the minimum year end fund balance is \$3.5 million, a difference of \$1.2 million. However, he stressed this is our strategic reserves for a variety of things, representing cash in the bank, therefore he does not recommend taking all of the amounts that are above the minimum recommended end of the year balance just to make sure we have something in the bank in the event something else critical happens that we need to deal with. Therefore, the amount staff is most comfortable with for an Interfund loan is \$600,000.

Mayor Pro Tem Sherman questioned why Council is being asked to consider any loan. He noted the operating budget has been operating at a deficit for many years and we have been covering that with one time monies. Now it appears we cannot cover our capital budget and are being asked to borrow money. He questioned whether we have any one time monies that can cover these capital projects.

Planning, Building and Public Works Director Fredricks noted that all one time monies go into the General Fund, so there no so called "one time monies fund".

Finance Director Henderson noted the City did not set aside any one time monies to transfer into the Capital Funds. It was utilized in the operating General Fund. She noted some projects that were projected have not materialized as expected.

City Manager Piasecki added a big portion of the one time monies that comes in is permit money, which is being used for service staff, and should that funding drop, staff would be laid off. He noted one-time sales tax has been used to fund the budget deficit that we have and if those funds start going away to the point where all the rest of our revenues has not grown fast enough, then we will have to take further budget reductions. He noted the major problem now, is the Port money is not going to be coming in as quickly as we had thought.

Finance Director Henderson advised that we had the Port's money in the CIP so it appeared that we had an adequate fund balance. She also noted there was a Public Works Trust Fund loan for the Pacific Highway project that was paid back on July 8th, plus the emergency repairs brought us to the situation we are now in.

Upon questioning, Planning, Building and Public Works Director Fredricks acknowledged that staff is requesting certain annual re-occurring programs that have not been started, be deferred until next year in an amount of \$250,000.

Councilmember Pina referenced the 6 projects that staff recommended for additional funding, and felt that any of those that can be reasonably delayed until at least 2009, should seriously be considered by Council. He felt Item 2, completing the Comprehensive Transportation Planning in the amount of \$164,000 and Item 4, completing 2009 pavement Management Design in the amount of \$80,000, could both be delayed. In regards to Item 5, he felt this was going to be done in phases and noted we could do the 24th Avenue South to Pacific Highway and delay some of the other phases until the Business Park moves forward.

In regards to Item 5, Planning, Building and Public Works Director Fredricks noted this is something that needs a long lead time and you can't just wait until the last minute. It will also help put us in a position to apply for grants and loans.

Councilmember Scott felt Council should consider a calculated percentage for emergencies. While acknowledging emergencies may not occur every year, they should not be treated as unexpected. In regards to project #6, she commented this could turn out to be much more expensive than \$12,000 depending on what is discovered.

Councilmember Kaplan commented that with the possible exception of Item 4, all the projects listed by staff are important. He felt that Item 5 is critical to stay ahead in case the Port and their developer decide to accelerate the Business Park Development and we may be able to obtain some grants. He noted the City has already identified a couple of future major unfunded projects such as seismic work on the North Twin Bridge, therefore it may make sense to "piggy back" with a bond or even a short term loan. He would prefer we borrow from ourselves to the degree that we can, and take out a smaller bond or loan, or attach it to a Bond that will be floated for the Marina. He stressed that whatever we do we should try to take the best advantage we can for other things that we anticipate will happen. He expressed agreement with Councilmember Scott

that the City needs to start figuring out a contingency or emergency fund specific for these items that seem to crop up every year. He stated his preference is to take the \$600,000 Interfund Loan first, but if we have to go out for outside money, that we wrap in some of the funds we are going to have to put up for a match, such as the North Twin Bridge permanent repairs so we know we have the funds necessary to do the repairs. This way if it is fully funded by the State we will have funds to do other improvements.

Mayor Sheckler agreed with the \$600,000 Interfund Loan, but felt it would be prudent to look at a Public Works Trust Fund Loan. He noted we can apply and if we get it, we do not have to use it, but he does not want to miss the opportunity to get an extremely low interest rate loan.

Councilmember Kaplan expressed agreement with Mayor Sheckler, but felt it is timing issues. Such as will we have an answer on a Public Works Trust Fund Loan before we have to make a decision on either bonds or a line of credit. He concluded by noting the decisions Council makes on this are going to drive what happens next year. He cautioned this is not a 6 month or one year deal, what Council decides is going to impact the City for at least a year and a half.

City Manager Piasecki stated if Council authorizes the \$600,000 Interfund Loan, that will bridge us for a little bit, and if the Public Works Trust Fund Loan comes in even at \$400,000 - \$500,000 that we need for S 216th, we would know that by October. Therefore, timing wise it fits together and as far as how much money we need for the Bond Issuance, we need to know that number by early October in order to hit the December 1st issuance date.

Mayor Pro Tem Sherman felt since we have or will have completed three main paving projects, Item 4 could be delayed. He questioned how staff plans on repaying loans.

In response to Mayor Pro Tem Sherman's question, Planning, Building and Public Works Director Fredricks offered the following sources of 2009 funds to repay a loan as follows:

- Port's ROW Vacation Funds - \$3.8 million plus interest available in 2009
- Real Estate Excise Tax - 2009 CIP estimated \$800K but \$400K or less expected
- Transportation Impact Fees - (\$158K estimated in 2009 and \$426K in 2010)
- Gas Tax (estimated to be \$171K in 2009)

Upon questioning, Planning, Building and Public Works Director Fredricks estimated the Port's Business Park Project could end up costing the City between \$20-30 million mainly for improvements to South 216th and 24th Avenue South.

City Manager Piasecki acknowledged there will be some significant expenses, but he believes the developer will pick-up a fair portion of those and he assured Council that staff will be looking at every potential funding source for every square inch of transportation improvements that needs to be made that we cannot justifiably have the developer pay for. He noted there are grant programs just for these types of things and reminded Council that we have requested Federal Earmarks and will be looking at the CTED program for local infrastructure improvements.

Councilmember Scott felt Council is talking too "gloomy" and remarked that Majestic Realty has been in business for many years and knows what they are doing with the Business Park. She also noted our area's financial picture is better than over 80% of the rest of the Country.

MOTION was made by Councilmember White, seconded by Councilmember Kaplan, that the City modify its adopted 2008 Arterial Streets Capital Improvement Program by deferring the following authorized projects: annual sidewalk, guardrail and traffic calming programs, 16th Avenue South Phase 5 preplanning and the intelligent transportation system; and adding a new project to accelerate planning and pre-design work in support of Des Moines Creek Business park off site infrastructure improvements. And further move that Administration be directed to present the Council a draft ordinance authorizing interfund loans up to \$600,000, Councilmanic Bonds in an amount up to 1.2 million, with the understanding if we can identify our share of the costs for the North Twin Bridge the bonds might be 1.7, to allow critical 2008 Arterial Streets capital projects to continue.

Councilmember Kaplan commented if there is a way to tier the funding, he wants first interfund loans, then Public Works Trust Fund Loan, bond issue and last would be a line of credit. It was noted that this can be accomplished in the draft legislation that staff will bring back for Council's consideration.

MOTION was made by Mayor Pro Tem Sherman to amend the motion by eliminating the completion of the Des Moines Memorial Drive paving in the amount of \$184,000. Motion DIED for lack of a second.

MOTION was made by Mayor Pro Tem Sherman to amend the motion to remove completion of the Redondo Board Walk Repair Pilot, Motion DIED for lack of a second.

MOTION was made by Mayor Pro Tem Sherman to amend the motion by removing the completion of the Comprehensive Transportation Planning in the amount of \$164,000. Motion DIED for lack of a second.

MOTION was made by Mayor Pro Tem Sherman, seconded by Councilmember Kaplan to amend the motion by removing completion of 2009 Pavement Management Design In-House in the amount of \$80,000. Motion passed unanimously.

Councilmember Kaplan commented there are no easy options or decisions. He felt Council has learned a lesson on the operating budget side and stressed the need to budget without depending on one time monies.

VOTE ON MOTION: Motion passed 4 to 2 with Councilmember Pina and Mayor Pro Tem Sherman opposed.

MOTION was made by Councilmember Pina, seconded by Councilmember Kaplan, to award the construction contract for the 2008 Pavement Management Program on Des Moines Memorial Drive to Watson Asphalt Paving Co., Inc. in the amount of \$156,990.50 and further to authorize the City Manager to sign said contract substantially in the form as submitted, plus authorize the City Manager or his designee to approve change orders up to an amount of 10% of the contract amount. Motion passed 5 to 1 with Mayor Pro Tem Sherman opposed.

NEXT MEETING DATE

Mayor Sheckler announced the next regular meeting will be August 28, 2008.

ADJOURNMENT

At 10:26 p.m. **MOTION** was made Councilmember White, seconded by Councilmember Scott and passed unanimously, to adjourn.

Respectfully submitted,

Denis Staab
City Clerk

ACTION ITEMS FROM THE MEETING OF 8/7/08

- Prepare modifications to the Municipal Code to provide limited access to commercial property from 8th Avenue South on the east, to South 227th Street.