

**REGULAR MEETING MINUTES  
DES MOINES CITY COUNCIL  
January 28, 2010 - 7:30 p.m.**

CALL CITY COUNCIL MEETING TO ORDER - Mayor Sheckler called the City Council meeting to order at 7:30 p.m.

PLEDGE OF ALLEGIANCE – The flag salute was led by Councilmember Musser .

ROLL CALL

Present were Mayor Sheckler; Mayor Pro-Tem Dave Kaplan; Councilmembers Matt Pina, Dan Sherman, Carmen Scott, Scott Thomasson, Melissa Musser. Staff present were City Manager Tony Piasecki; Assistant City Manager Lorri Ericson; City Attorney Pat Bosmans; Assistant City Attorney Susan Mahoney; Park, Recreation and Senior Services Director Patrice Thorell; Police Chief Roger Baker; City Clerk Sandy Paul; Brandon Carver; Len Madsen' Jason Sullivan; Marian Yoshino.

CORRESPONDENCE

A letter was received from the Regional Commission on Airport Affairs (RCAA) to which the City Council directed a response be drafted by staff. That response was distributed to Councilmembers in mailboxes.

COMMENTS FROM THE PUBLIC:

Maygan Hurst, 1911 SW Campus Drive #774, Federal Way, commented that she would respond to Consent Agenda Item #7 if Councilmembers had questions.

BOARD & COMMITTEE REPORTS/COUNCILMEMBER COMMENTS

Councilmember Sherman had no report.

Councilmember Thomasson commented on the Environmental Committee and the Shoreline Program. He suggested that new Councilmembers be given a copy so they could be familiar with that work.

Councilmember Pina commented on the retreat and appreciated the good dialog and respect shown for all opinions. He also said that he had attended the Suburban Cities Association (SCA) dinner at which King County Executive Dow Constantine was the keynote speaker.

Councilmember Musser thanked staff for helping to make last weekend's retreat the productive session that it was.

Councilmember Kaplan mentioned the Shorelines Program that the Environmental Committee was working on.

Councilmember Scott requested Council and Community input on the Waterland Festival parade which was held last year. She wanted to gauge Community support and directed all comments to [www.waterlandblog.com](http://www.waterlandblog.com) or to take the survey found at that website. She would also accept emails. She said if the parade was to take place this year financial help would be needed.

## PRESIDING OFFICER'S REPORT

Mayor Sheckler presented awards to outgoing Senior Advisory Committee members Rina Hamburger, Kayley Moon, and Natalie Wilcox McCann. He also presented awards to outgoing Human Services Committee members Nadine Byers and Debra Hickman.

Mayor Sheckler narrated a short slide show on his recent trip to China and presented the gifts he had received from mayors in some of the cities he visited there.

Mayor Sheckler then introduced Draft Resolution No.10-019 naming Councilmember Carmen Scott as the City's official photographer and introduced a motion; Councilmember Pina, second; all the votes were enthusiastic ayes. Mayor Sheckler read the entire resolution recognizing Councilmember Scott's 'photographic eye' and talent and commending for her work on many projects.

The Mayor told a story about being in China and the smoked salmon gifts (made in Washington state) that he had taken with him. He also took sets of Councilmember Scott's post cards as gifts. His Chinese hosts were very pleased to receive the photographic cards and much less impressed with the gifts of smoked salmon.

## ADMINISTRATION REPORTS

Mayor Sheckler, Mayor Pro Tem Kaplan, City Lobbyist Phil Watkins, and City Manager Piasecki attended meetings in Olympia. They requested financial support which the state does not have. The Governor, however, was sympathetic to cities and supports fiscal flexibility for municipalities.

## ACTION/DIRECTION

### MOTION

Mayor Pro Tem Kaplan moved to approve a settlement offer from the Rental Housing Association; Councilmember Scott, second. The vote was unanimous to approve the settlement in the amount of \$170,000.

## CONSENT CALENDAR\*

1. Approval of Minutes – Item was pulled.
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 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 #122287 through #122511 and electronic fund transfers in the total amount of \$1,260,243.51 and

Payroll fund transfers in the amount of \$451,842.12

Total certified Wire Transfers, Voids, A/P & Payroll vouchers for January 28, 2010 total \$1,712,085.63.

3. Motion is to enter into the attached joint utility trench agreement with Qwest for the utility undergrounding improvements of the South 216<sup>th</sup> Street Project (Segment 4: Marine View Drive to 11<sup>th</sup> Avenue South), and further authorized the City Manager to sign the Agreement, substantially in the form as submitted.

4. Motion is to enter into the attached joint utility trench agreement with Comcast for their participation in costs for the utility undergrounding improvements of the South 216<sup>th</sup> Street Project (Segment 4: Marine View Drive to 11<sup>th</sup> Avenue South), and further authorize the City Manager to sign the Agreement, substantially in the form as submitted.
5. Motion is to accept the Community Development Block Grant Recovery (CDBG-R) funds under the American Recovery and Reinvestment Act in the amount of \$60,000 for the South 216<sup>th</sup> Street Improvements, between Marine View Drive and 11<sup>th</sup> Avenue South, and further authorize the City Manager to sign the amendment to the CDBG funding agreement, substantially in the form as submitted.
6. Motion is to enter into an agreement with Puget Sound Energy to take over the street lighting system associated with the South 216<sup>th</sup> Street Project for ongoing operation and maintenance, and further authorized the City Manager to sign said agreement substantially in the form as submitted, once it has been updated to reflect actual construction quantities and costs.
7. Motion is to adopt Draft Resolution Number 10—11 extending the expiration date to obtain final plat approval for the preliminary modified subdivision entitled “Maslow” from July 6, 2011 to July 6, 2012.
8. Motion is to authorize the City Manager to sign the Interlocal Agreement between the Cities of SeaTac, Des Moines, Covington and Tukwila for planning, funding and implementation of the 2010 Joint Minor Home Repair Program using Community Development Block Grant funds.
9.
  - a. Motion is to confirm the Mayoral appointments of Lynson Edwards and Marta Kalve to two year terms on the Human Services Advisory Committee, effective January 1, 2010 which expire on December 31, 2011
  - b. Motion is to confirm the Mayoral re-appointments of Vino Atienza, Elizabeth Brant, Jean Munro and Janet Sorby to two year terms on the Human Services Advisory Committee, effective January 1, 2010 which expire on December 31, 2011.
10. Motion is to confirm the Mayoral appointments of Rita Lambert, Florence McMullin and Novella O Perry to four year terms on the Senior Services Advisory Committee effective January 1, 2010 and expiring on December 31, 2013
11. Motion is to adopt the Intergovernmental Policies and Positions as amended by the City Council.

Councilmember Thomasson pulled Item 6 for discussion then moved approval of the Consent Agenda; Councilmember Scott, second. The Consent Agenda was approved unanimously.

#### OLD BUSINESS

1. Gateway Project: Urban Design Context and Landscaping Elements

Len Madsen, Gateway Project Manager and Paul Fuesel, Urban Designer, KPG, Inc., led a discussion with the City Council in order to determine if staff were on the right track about the direction they wished the Gateway Design project to go. Councilmembers expressed many ideas and thoughts. No action was taken.

## NEW BUSINESS

### 1. Planning Agency Briefing on Marina Design Guidelines Progress

Denise Lathrop, Planning Manager, introduced Leslie Newman and Shan Hoel of the Planning Agency who provided an update of what the Planning Agency Committee had completed and what their plans for the future were. Mayor Pro Tem Kaplan was appointed as Council liaison to the Planning Agency. Councilmember Sherman moved to institute a scientifically done survey; Councilmember Musser, second for discussion. Following discussion, the vote was all *nays* except for Councilmember Sherman's one approving vote. Ms. Newman and Mr. Hoel believed they had sufficient information to fashion a scope of work that might be acceptable to both residents and business. More information would be presented to Council at a later date.

### 2. Ethics Code

Discussion of the Ethics Code was moved to the February 4, 2010 Study Session Agenda.

### 3. Crime-Free Rental Housing Ordinance

Pat Bosmans, City Attorney, led a discussion on the approval of Draft Ordinance No. 10-010.2 which repeals the current chapter 5064 of DMMC and codifies a new chapter 50634 DMMC entitled *Rental Housing*.

Mayor Pro Tem Kaplan moved to suspend Rule 26(b) in order to enact Draft Ordinance No. 10-010.2 on first reading; Councilmember Scott second. The motion passed with five *ayes* (Councilmembers Scott, Kaplan, Pina, Musser, and Mayor Sheckler) and two *nays* (Councilmembers Thomasson and Sherman).

Mayor Pro Tem Kaplan moved to enact Draft Ordinance No 10-010.2, which requires a review of chapter 5.64 DMMC within five years of its effective date; Councilmember Scott, second. All the votes were *ayes*.

NEXT MEETING DATE Regular Study Session Meeting February 4, 2010

## ADJOURNMENT

Councilmember Sherman moved to adjourn at 10:20 p.m.; Mayor Sheckler, second; all the votes were *ayes*. The meeting was adjourned.