

**REGULAR MEETING MINUTES
DES MOINES CITY COUNCIL**

March 25, 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 Mayor Pro Tem Kaplan.

ROLL CALL - Present were Mayor Sheckler; Mayor Pro-Tem Dave Kaplan; Councilmembers Matt Pina, Dan Sherman, Carmen Scott, Scott Thomasson, and Melissa Musser.

Staff present were City Manager Tony Piasecki, City Attorney Pat Bosmans; Senior Services Manager Sue Padden; Assistant Director of Transportation and Engineering Dan Brewer; Harbormaster Joe Dusenbury; Parks and Recreation Director Patrice Thorell; and Clerk Autumn Lingle.

BOARD & COMMITTEE REPORTS/ COUNCILMEMBER COMMENTS

Councilmember Scott expressed thanks, appreciation and gratitude to community volunteers for all their dedication and hard work. She specifically noted Vera Harper's passing and listed her selfless devotion to the community and her vast accomplishments, stating how greatly she will be missed.

Mayor Pro Tem Kaplan noted that he attended the Open House for the Barnes Creek Trail extension. He also stated that March 7, 2010 was the ninth anniversary of the murder of Officer Steven J. Underwood. He further spoke of his gratitude to the City of Des Moines Police Department and all City employees.

Councilmember Musser stated that beginning next year Mount Rainier High School will be designated as a 4A high school competing in the South Puget Sound North League. In addition, she met with Senior Services Manager Padden to discuss goals and plans for the Senior Services committee. She also noted that the Senior Center Spring Brunch is scheduled for this Saturday, March 27, 2010 from 8:00 a.m. to 10:00 a.m. at the Activity Center. Tickets are \$8.00 for adults and \$5.00 for children under 10 years of age. She thanked Powell Homes for sponsoring the event.

Councilmember Pina commented that he attended the Parkside Open House with Councilmembers Kaplan and Scott. He noted the facility was beautiful and encouraged all to see it.

Councilmember Thomasson stated Staff has invited Mayor Sheckler and himself to a meeting to discuss Water District 54. His suggestion was that City Council and District Commissioners convene to have a conversation regarding the Water District. (NOTE: The Mayor stated a possible Study Session would be scheduled next Thursday, April 1, 2010).

Councilmember Sherman mentioned that the Human Services Advisory Committee had met earlier in the day with new members Marta Kalve and Lyn Edwards participating. He discussed

changes in the funding application process. He noted an online system EGOV is involved in these changes. He requested funding for future years so the City could be involved with EGOV. He invited Senior Services Manager Padden to speak on this topic. She stated that because the City is not participating due to fees involved, it will no longer be a common application for the first time since 1997. Councilmember Sherman requested that an administrative cost for EGOV be considered when formulating the budget.

ADMINISTRATION REPORTS

City Manager Piasecki mentioned to Council that copies of a memo from Harbormaster Dusenbury to the City Manager were distributed to them. The memo was responding to comments Councilmember Pina made at the March 11, 2010 meeting regarding an earlier meeting with the Three Tree Point Yacht Club. He acknowledged the suggestions were worthwhile and that the City will try to incorporate them as much as possible. He further noted changes in this evening's agenda including a presentation from the Harbormaster for New Business Item #1.

At 7:48 p.m., Mayor Sheckler announced Council will go into an Executive Session for approximately twenty minutes to discuss collective bargaining strategies and positions. Meeting reconvened at 8:20 p.m.

CONSENT CALENDAR

1. Motion is to approve Minutes of the Study Session and Special Meeting of March 4, 2010.

2. APPROVAL OF VOUCHERS

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 #123092 through #123264 and electronic fund transfers in the total amount of \$488,842.28 and

Payroll fund transfers in the amount of \$446,264.03

Total certified Wire Transfers, Voids, A/P & Payroll voucher are \$934,906.31

3. Motion is to award the construction contract for the South 216th Street project, between Marine View Drive and 11th Avenue South, to Tucci and Sons, Inc. in the amount of \$2,125,505.64, which includes all Bid Schedules (A through F), and authorize the City Manager to sign said contract substantially in the form as submitted and to further authorize a contingency for the project of up to ~~\$265,000 (12.5%)~~ to cover unforeseen conditions and change orders as determined necessary by the Director.

4. (a) Motion is to suspend Rule 26(b) in order to enact Draft Ordinance No. 10.036 on first reading.

- (b) Motion is to enact Draft Ordinance No. 10-036, amending DMMC 2.28.030 and creating a full-time elected position for Des Moines Municipal Court Judge, effective January 1, 2014.
5. Motion is to approve the Interagency Agreement with Highline Community College for support of the Small business Development Center, and authorize the City Manager to sign the agreement, substantially in the form as submitted.
6. Motion is to move that the Council approve the appointment of Robin Lamoureau to a three-year term on the Library Board, effective January 1, 2010 and expiring on December 31, 2012.
7. Motion is to approve the 2010 Interlocal Agreement for the Joint Human Services Funding Program between the Cities of Auburn, Burien, Covington, Des Moines, Federal Way, Kent, Renton, SeaTac, and Tukwila, and authorize the City Manager to sign the agreement, substantially in the form as submitted.
8. Motion is to approve increasing the spending authority amount for the construction contract for the 2009 Pavement Management Program by \$50,000.00, bringing the total approved contract amount to \$253,110.25 plus the previously approved 10% contingency to cover unforeseen pavement subgrade change orders.

Item #3 pulled by Councilmember Thomasson.

Councilmember Sherman mentioned that the minutes of March 4, 2010 special meeting be corrected to reflect that he was present.

Motion to adopt the Consent Agenda- Motion was made by Mayor Pro Tem Kaplan seconded by Councilmember Pina.

Councilmember Thomasson expressed caution regarding Consent Calendar Item #8 because of State Auditor parameters.

Vote passed unanimously.

Councilmember Thomasson pulled Item #3 because he sought clarification about the correct amount of contingency to authorize. He felt the Council would not be doing its fiscal responsibility in oversight with a \$265,000 change order without monitoring.

ACTION/DIRECTION

MOTION was made by Councilmember Thomasson to accept Consent Calendar #3 as was read, substituting the change order amount of \$265,000 with \$100,000. Seconded by Councilmember Musser.

Assistant Director of Transportation and Engineering Brewer explained to Council why the amount of \$265,000 was selected.

ACTION/DIRECTION

MOTION was made by Councilmember Thomasson is to further authorize a contingency for the City portion of the project of up to \$100,000 and for other agencies work up to \$165,000 to cover unforeseen conditions and change orders as determined necessary by the Director. Amendment approved by Councilmember Musser. Passed unanimously.

NEW BUSINESS #1

North Marina Combined Project Update/Request for Additional Consultant Funds
Harbormaster Dusenbury gave a PowerPoint presentation updating Council on the status of the North Marina Combined Projects.

ACTION/DIRECTION

MOTION was made by Mayor Pro Tem Kaplan, seconded by Councilmember Scott, to approve Addendum 1 to the Agreement with Moffatt & Nichol Engineers for construction support services on the North Marina Combined Projects revising the Consultant's scope of work and increasing the amount of the contract by \$98,999.00 and to authorize the City Manager to sign the Addendum substantially in the form as submitted.

Councilmember Thomasson offered a Friendly Amendment for a new total of \$513,077.00 including Change Order No.1. Accepted by the maker Mayor Pro Tem Kaplan and seconder Councilmember Scott. Passed 6 to 1 with Councilmember Sherman opposed due to what he felt were questionable billing fees imposed by the consulting firm involved in the project.

NEW BUSINESS #2

Parks and Recreation Temporary Employee Pay Plan
Parks and Recreation Director Thorell presented a PowerPoint illustration to Council that provided information and comparisons on pay plans for seasonal employees.

ACTION/DIRECTION

No action taken. Council directed Staff to draft a resolution to have City Manager set pay scale for part time seasonal employees.

NEXT MEETING DATE: Regular Study Session Meeting April 1, 2010

ADJOURNMENT

Councilmember Musser moved to adjourn at 9:19 p.m.; Councilmember Pina, second; all the votes were ayes. The meeting was adjourned.

Respectfully Submitted,

Autumn Lingle
Acting City Clerk