

AGENDA

**DES MOINES CITY COUNCIL
REGULAR MEETING
City Council Chambers
21630 11th Avenue South, Des Moines**

January 28, 2016 – 7:00 p.m.

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

CORRESPONDENCE

COMMENTS FROM THE PUBLIC

BOARD AND COMMITTEE REPORTS/COUNCILMEMBER COMMENTS

PRESIDING OFFICER'S REPORT

ADMINISTRATION REPORT

CONSENT AGENDA

Page 1 Item 1: APPROVAL OF MINUTES
Motion is to approve the minutes from the December 17, 2015 regular City Council meeting.

Page 7 Item 2: APPROVAL OF VOUCHERS
Motion is to approve for payment vouchers and payroll transfer included in the attached list and further described as follows:

Total A/P Checks/Vouchers	#145591-145736	\$1,302,238.81
Payroll Checks	#18752-18756	\$ 5,422.23
Payroll Direct Deposit	#30001-30165	\$ 289,201.86
Total Certified Wire Transfers, Voids, A/P and Payroll Vouchers:		\$1,596,862.90

Page 9 Item 3: ARTS COMMISSION APPOINTMENT
Motion is to confirm the Mayoral appointment of Sheri Verberg to a three year term on the City of Des Moines Arts Commission effective immediately and expiring on December 31, 2018.

EXECUTIVE SESSION

POTENTIAL LITIGATION UNDER RCW 42.30.110

- 30 Minutes

NEXT MEETING DATE

February 4, 2016 City Council Study Session

ADJOURNMENT

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MINUTES

**DES MOINES CITY COUNCIL
REGULAR MEETING
City Council Chambers
21630 11th Avenue South, Des Moines**

December 17, 2015 – 7:00 p.m.

CALL TO ORDER

Mayor Kaplan called the meeting to order at 7:00 p.m.

PLEDGE OF ALLEGIANCE

The flag salute was led by Councilmember Nutting.

ROLL CALL

Council present: Mayor Dave Kaplan; Mayor Pro Tem Matt Pina; Councilmembers Jeremy Nutting, Melissa Musser, Luisa Bangs, Bob Sheckler and Vic Pennington.

Staff present: City Manager Tony Piasecki; Assistant City Manager Michael Matthias; Assistant City Attorney Tim George; Planning, Building and Public Works Director Dan Brewer; Police Chief George Delgado; Engineering Services Manager Brandon Carver; Commander Barry Sellers; Commander Bob Bohl; Project Manager Scott Romano; Associate Transportation Engineer Andrew Merges; Surface Water Management Utility Manager Loren Reinhold; Public Works Superintendent John Blackburn; Code Enforcement Office Nancy Uhrich; Municipal Court Judge Lisa Leone; Court Administrator Jennefer Johnson; Budget Manager Cecilia Pollock; Finance Director Dunyele Mason; Human Resource Manager Maureen Murphy; Parks, Recreation & Senior Services Director Patrice Thorell; Harbormaster Joe Dusenbury; Council Elect Robert K. Back; City Clerk Bonnie Wilkins.

CORRESPONDENCE

- Letter from representative, Gerrity Group (Redondo Square Shopping Center) regarding South Precinct Station.
- Letter received from Attorney representing Gerrity Group regarding Woodmont Recovery Center.

COMMENTS FROM THE PUBLIC

- Rick Forschler, 13529 Military Road; Apologized to Council and City Manager for comments made at a previous meeting regarding water and sewer utility tax.
- Rick Johnson, 28624 Redondo Beach Drive; Meeting regarding Redondo Boardwalk.
- Matt Everett, 23828 30th Avenue S; Thanked Council for deferring the utility tax ordinance.
- Jane Mattson, 1826 S 240th Street; Water utility tax.
- Rob Back, 2340 16th Lane S; Looking forward to serving the Citizens of Des Moines.

BOARD AND COMMITTEE REPORTS/COUNCILMEMBER COMMENTS

Councilmember Pennington

- Thanked the community for their involvement over the past year.
- Thanked Council for their time and service

Councilmember Sheckler

- Wished everyone Happy Holidays.

Councilmember Bangs

- Thanked Councilmember Sheckler for his guidance and support the past 6 months.
- Wished everyone a Merry Christmas and Happy New Year.

Mayor Pro Tem Pina

- Spoke about things moving forward next year.
- Thanked everyone for their involvement over the past year.
- Thanked Councilmember Sheckler for his years of service.
- Wished everyone the best holiday season.

Councilmember Musser

- Thanked Councilmember Sheckler for his dedication and sacrifice to the City.

Councilmember Nutting

- Shop with a cop event:
 - Thanked all those who volunteered and donated.
- Urged Citizens to volunteer in the Community.
- Thanked Councilmember Sheckler for all that he has done for the community.

PRESIDING OFFICER'S REPORT

- Public Economic Development Forum hosted by Suburban Cities, Cities of Seattle and King County:
 - Help better coordinate activities, work force infrastructure to help promote Seattle as a region.
- SCATBd Meeting.
- State Route 509 Executive Meeting.
- Presented Councilmember Sheckler with a plaque thanking him for his 20 years of service to the City.
 - Mayor Kaplan gave an overview of Councilmember Sheckler's accomplishments.

Councilmember Sheckler addressed the public and thanked staff for all their hard work over the years.

ADMINISTRATION REPORT

- Note from Mary Ruth (Robert Ruth's wife) thanking the City for their support.
- Spoke to Rick Johnson regarding an e-mail on the Woodmont Recovery Center prior to October, 2014.
- Thanked Councilmember Sheckler for his support and advice on gardening.

CONSENT AGENDA

- Item 1: DRAFT RESOLUTION 15-201 REDONDO BOARDWALK REPAIR PROJECT CERTIFICATION OF FULL FUNDING – FOR TIB AWARD
Motion is to adopt Draft Resolution No. 15-201 certifying to the Washington State Transportation Improvement Board (TIB) that full funding is secured for the Redondo Boardwalk Repair Project, and further authorize the City Manager to sign the TIB Funding Status Form and the Fuel Tax Grant Agreement with TIB substantially in the form as submitted.
- Item 2: REDONDO BOARDWALK REPAIR PROJECT CONSULTANT CONTRACT SUPPLEMENT #2 – FOR ADDITIONAL ENVIRONMENTAL AND DESIGN WORK
Motion is to approve the Supplemental Agreement Number 2 with Exeltech Consulting for the Redondo Boardwalk Repair in the amount of \$79,848.20 to complete additional environmental and design work including a pedestrian crossing safety improvement, and further authorize the City Manager to sign said Supplemental Agreement Number 2 substantially in the form as submitted.
- Item 3: ECOLOGY 2015-2017 STORMWATER GRANT AGREEMENT
Motion is to approve the 2015-2017 Municipal Stormwater Capacity Grant Agreement between the State of Washington Department of Ecology and the City of Des Moines, and further to authorize the City Manager to sign said Agreement substantially in the form as submitted.
- Item 4: REDONDO BOARDWALK REPAIR – ACCEPTANCE OF WASHINGTON STATE DEPARTMENT OF COMMERCE DIRECT – APPROPRIATIONS CONTRACT
Motion is to accept the Washington State Department of Commerce Direct-Appropriations Grant of \$1,455,000, and further authorize the City Manager, or his designee, to sign the Direct-Appropriations Contract, and to direct the City Manager, or his designee, to advertise the Redondo Boardwalk Repair Project for construction in early 2016 following final permit approvals.
- Item 5: MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF DES MOINES AND TEAMSTERS LOCAL 763 (“TEAMSTERS”)
Motion is to approve the attached Memorandum of Understanding between the City of Des Moines and Teamsters Local 763 regarding the holiday pay provision and to authorize the City Manager to sign the MOU substantially in the form as attached.

Item 6: DRAFT RESOLUTION 15-155 SETTING COMBINED PUBLIC HEARING DATE FOR:

- 1) DRAFT RESOLUTION 15-215 APPROVING THE SECOND ADDENDUM TO THE AMENDED & RESTATED SECOND DEVELOPMENT AGREEMENT FOR THE DES MOINES CREEK BUSINESS PARK
- 2) DRAFT ORDINANCE 15-216 VACATING DES MOINES CREEK BUSINESS PARK TRACT E (SOUTH 214TH STREET) RIGHT OF WAY
- 3) DRAFT ORDINANCE 15-217 AMENDING THE APPROVED DES MOINES CREEK BUSINESS PARK MASTER PLAN

Motion is to adopt Draft Resolution No. 15-155 setting a combined public hearing on January 21, 2016 to consider Draft Resolution No. 15-215, approving the Second Addendum to the Amended & Restated Second Development Agreement for the Des Moines Creek Business Park; Draft Ordinance No. 15-216, vacating DMCBP Tract E (South 214th Street) Right of Way; and Draft Ordinance No. 15-217, amending the approved Des Moines Creek Business Park Master Plan.

Item 7: DRAFT RESOLUTION 15-206 SETTING A PUBLIC HEARING DATE FOR DRAFT ORDINANCE 15-206, RELATED TO PUBLIC NOTICE REQUIREMENTS FOR ESSENTIAL PUBLIC FACILITIES

Motion is to adopt Draft Resolution No. 15-206 setting a public hearing on February 11, 2016 or as soon thereafter as the matter may be heard to consider Draft Ordinance 15-206 amending portions of Title 16 and Title 18 of the Des Moines Municipal Code as necessary to establish specific noticing requirements for essential public facilities which are defined in RCW 47.06.140.

Item 8: CONTRACT WITH RECREATION AND CONSERVATION OFFICE (RCO) FOR THE DES MOINES BEACH PARK HISTORIC PICNIC SHELTER/RESTROOMS REHABILITATION PROJECT

Motion is to approve the Project Agreement with the Recreation and Conservation Office (RCO) for the Des Moines Beach Park Historic Picnic Shelter/Restrooms Rehabilitation Project in the amount of \$293,243.00, and additionally to authorize the City Manager to sign the Project Agreement substantially in the form as submitted.

Item 9: ADDING A NEW CHAPTER 3.51 DMMC ENTITLED "SPECIAL REVENUE FUNDS"

First Motion is to suspend Rule 26(a) in order to enact Draft Ordinance No. 15-218 on first reading.

Second Motion is to enact Draft Ordinance No. 15-218 adding a new chapter to Title 3 DMMC establishing and defining certain Special Revenue funds.

Direction/Action

Motion made by Mayor Pro Tem Pina to approve the Consent Agenda; seconded by Councilmember Nutting.
The motion passed 7-0.

NEW BUSINESS

Item 1:

2015 OPERATING AND CAPITAL BUDGETS

Staff Presentation: Finance Director Dunyele Mason

Direction/Action

Motion made by Councilmember Sheckler to suspend Rule 26(a) in order to enact Draft Ordinance No. 15-133 on first reading; seconded by Councilmember Nutting.

The motion passed 7-0

Direction/Action

Motion made by Councilmember Sheckler to enact Draft Ordinance No. 15-133 amending the 2015 Operating and Capital Budgets; seconded by Councilmember Bangs.

The motion passed 7-0.

OLD BUSINESS

Item 1:

2016 OPERATING AND CAPITAL BUDGETS

Staff Presentation: Finance Director Dunyele Mason

Direction/Action

Motion made by Councilmember Musser to enact Draft Ordinance No. 15-183 adopting the final 2016 Operating and Capital Budgets for the fiscal year ending December 31, 2016; seconded by Mayor Pro Tem Pina.

Motion made by Councilmember Musser to reduce watering neighborhood parks for a savings in the amount of \$10,000; seconded by Mayor Pro Tem Pina. Motion incorporated into the main motion.

Motion made by Councilmember Musser to reduce landscape maintenance services from 39 times per year to 26 times per year for an estimates savings of \$8,150; seconded by Mayor Pro Tem Pina.

The motion passed 7-0.

Motion made by Councilmember Musser to reduce janitorial services to 2 times per week (keeping the public, high volume restrooms unchanged), reducing the window cleaning at the Dining Hall and Auditorium from monthly to quarterly for a total estimated savings of \$9,600; seconded by Councilmember Bangs.

The motion passed 7-0.

The motion, as amended, passed 5-2.

For: Mayor Pro Tem Pina; Councilmembers Musser, Bangs, Sheckler and Pennington

Against: Mayor Kaplan; Councilmember Nutting.

Mayor Kaplan read Draft Ordinance No. 15-183 into the record.

NEXT MEETING DATE

January 7, 2015 Regular City Council Meeting

ADJOURNMENT

Motion made by Councilmember Sheckler to adjourn; seconded by Councilmember Nutting.
The motion passed 7-0.

The meeting was adjourned at 8:30 p.m.

Respectfully Submitted,
Bonnie Wilkins, CMC
City Clerk

CITY OF DES MOINES
Voucher Certification Approval

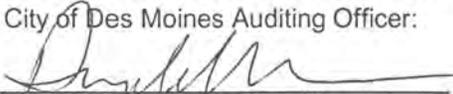
28-Jan-16

Auditing Officer Certification

Vouchers and Payroll transfers 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.

As of **Jan 28, 2016** the Des Moines City Council, by unanimous vote, does approve for payment those vouchers and payroll transfers included in the attached list and further described as follows:

The vouchers below have been reviewed and certified by individual departments and the City of Des Moines Auditing Officer:


 Donyele Mason, Finance Director

	# From	# To	Amounts
Claims Vouchers:			
Total A/P Checks/Vouchers	145591	- 145736	1,302,238.81
Electronic Wire Transfers		-	
Total claims paid			1,302,238.81
Payroll Vouchers			
Payroll Checks	18752	- 18756	5,422.23
Direct Deposit	30001	- 30165	289,201.86
Payroll Checks		-	
Direct Deposit		-	
Payroll Checks		-	
Direct Deposit		-	
Total Paychecks/Direct Deposits paid			294,624.09
Total checks and wires for A/P & Payroll			1,596,862.90

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AGENDA ITEM

BUSINESS OF THE CITY COUNCIL
City of Des Moines, WA

SUBJECT: Arts Commission Appointment

FOR AGENDA OF: January 28, 2016

ATTACHMENTS:

1. Applications submitted by:
 Sheri Verberg
 Alfonso De Anda

DEPT. OF ORIGIN: Parks, Recreation & Senior Services

DATE SUBMITTED: January 15, 2016

CLEARANCES:

- Legal 
- Finance NA
- Marina NA
- Parks, Recreation & Senior Services 
- Planning, Building & Public Works NA
- Police NA
- Courts NA

APPROVED BY CITY MANAGER
FOR SUBMITTAL: 

Purpose and Recommendation

The purpose of this agenda item is to recommend City Council approval of an appointment to the City of Des Moines Arts Commission.

Suggested Motion

Motion: "I move to confirm the Mayoral appointment of Sheri Verberg to a three year term on the City of Des Moines Arts Commission effective immediately and expiring on December 31, 2018."

Background

The City Council adopted Ordinance No. 06-1393 establishing the Des Moines Arts Commission in November 30, 2006. The nine Arts Commission positions were appointed in February 2007. The terms were staggered so that six positions are retained each year and three positions expire each year on December 31.

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CITY OF DES MOINES
APPLICATION FOR APPOINTEE OFFICE
21630 11th Avenue South
Des Moines, WA 98198

Recvd. _____

PROCESSED
D.W.

Please Check

NAME: SHERI VERBURG
ADDRESS: 22315 6th AVE SE, #A-109
CITY/ZIP: DES MOINES WA 98198
PHONE: Home 206-265-1083 Work -
LENGTH OF RESIDENCE AT THE ABOVE ADDRESS 4 YEARS
REGISTERED VOTER? YES
E-MAIL ADDRESS: Sheriverburg@msn.com

- Civil Service Commission
- Planning Agency
- Library Board
- Human Services
- Senior Services
- Arts Commission
- Marina Beach Park

EMPLOYMENT SUMMARY LAST FIVE YEARS: RETIRED

Are you related to anyone presently employed by the City or a member of a City Board? No
If yes, explain: _____

Do you currently have an owning interest in either real property (other than your primary residence or a business) in the Des Moines planning area? No if so, please describe: _____

IN ORDER FOR THE APPOINTING AUTHORITY TO FULLY EVALUATE YOUR QUALIFICATIONS FOR THIS POSITION, PLEASE ANSWER THE FOLLOWING QUESTIONS USING A SEPARATE PAPER IF NECESSARY.

1. Why do you wish to serve in this capacity and what can you contribute? IT'S TIME TO GIVE BACK AND I'D LIKE TO BE INVOLVED IN SOMETHING POSITIVE AND ENJOYABLE. I WOULD BRING ENERGY, ENTHUSIASM + MAYBE ANOTHER PERSPECTIVE. I'M TEAM-ORIENTED + USUALLY MAINTAIN A SENSE OF HUMOR, WHICH I AM TOLD IS CONTAGIOUS! :)

2. What problems, programs or improvements are you most interest in? CONCERTS IN THE PARK
WINE FESTIVAL
INTERACTION WITH OTHER DES MOINES ORGANIZATIONS WORKING TO LIFT UP OUR CITY AND BRING JOY TO OUR CITIZENS!

3. Please list any Des Moines elective/appointive offices you have run/applied for previously. N/A



CITY OF DES MOINES
APPLICATION FOR APPOINTIVE OFFICE
21630 11th Avenue South
Des Moines, WA 98198

Recvd. _____

RECEIVED
DEC 15 2015
BY _____

Please Check

NAME: Alfonso De Anda
ADDRESS: 609 S. 222nd St., #303
CITY/ZIP: Des Moines, WA 98198
PHONE: Home (206) 878 8266 Work _____
LENGTH OF RESIDENCE AT THE ABOVE ADDRESS 14 yrs.
REGISTERED VOTER? Yes
E-MAIL ADDRESS: vadito3@aol.com

- Civil Service Commission
- Planning Agency
- Library Board
- Human Services
- Senior Services
- Arts Commission
- Marina Beach Park

EMPLOYMENT SUMMARY LAST FIVE YEARS: Frye Art Museum - responsible for implementing security measures pertaining for all art. Providing information to museum visitors and any information regarding art exhibits.

Are you related to anyone presently employed by the City or a member of a City Board? No
If yes, explain: _____

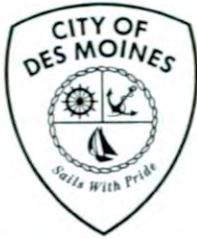
Do you currently have an owning interest in either real property (other than your primary residence or a business) in the Des Moines planning area? No if so, please describe: _____

IN ORDER FOR THE APPOINTING AUTHORITY TO FULLY EVALUATE YOUR QUALIFICATIONS FOR THIS POSITION, PLEASE ANSWER THE FOLLOWING QUESTIONS USING A SEPARATE PAPER IF NECESSARY.

1. Why do you wish to serve in this capacity and what can you contribute? Experience in Art selection, art handling, and art safe keeping

2. What problems, programs or improvements are you most interest in? All

3. Please list any Des Moines elective/appointive offices you have run/applied for previously. None



CITY COUNCIL

Speaker Sign-Up Sheet

January 28, 2016

NAME (PLEASE PRINT)	ADDRESS	TOPIC	PHONE/E-MAIL ADDRESS
✓ Pete Stream	28636 Redondo Beach Dr S	Boardwalk	petestream@comcast.net 253-336-5905
✓ CAROL STREAM	28636 Redondo Beach DR South	Boardwalk	CSTREAM@COMCAST.NET 253-630-1044
✓ Don Carmignani	8155 216th St Des Moines 50319	Demolition of Wesley Gardens	206-870-4224 donmbev@msn.com
✓ Jim Langston	600 So 220th	Masonic Home	206-878-7205
✓ RICK JOHNSON	28624 Redondo Beach Dr	Change	253-275-3310
✓ Ben Stewart	22515 6th S Des Moines	DMMA MEETING LAST NIGHT	206-653-7179
Sheila Bush	2404 8th Ave		
✓ Sheila Bush			
✓ Thelma Van Noy			

Good Evening

I am Don Carmignani. My wife Beverly and I are residents of Wesley Gardens across the street, and I am here to show you why I think you should re-consider the permit you issued to Wesley for the demolition of all the present buildings on the present campus and the reconstruction of a totally new campus.

We moved here April 21 last year because this apartment was ideal for us: close to elevator, dining room, community kitchen (next door), mailbox, and all amenities. The view from here is spectacular! We have a large 2-bedroom apartment with a bath and a half--everything we need! I have Parkinson's and my wife has COPD and heart problems. Both of us are in frail health.

After a stressful and expensive move to Wesley Gardens, we had counted on this being our last move. However, we were soon to find out about the impending demolition and rebuilding of the entire Gardens area, including our 5-story main building. Our salesman did not inform us of this when we signed on.

Starting this February, less than a year since we moved here, demolition of the lovely cottages surrounding us is set to begin. After that a new main building would be built, residents moved into it, and the main building demolished. If we chose to stay here, we'd face 5-7 years of construction noise, dust, confusion, and stress. As soon as the new building has been finished, demolition of the Old Building would commence.

Ahead of us the new building will obstruct our magnificent view and behind us the demolition of the old building. Gone will be the spacious green lawn spread out before us and in its place will be a maze of brownstone 2-3 family units. The beautiful grounds will disappear under the load of project-like residences.

This "Old" building is sturdy, in good repair and thoroughly adequate for the needs of our elderly residents. It would be a monumental waste of a perfectly good building and a disservice to the present elderly residents who are very vulnerable with health issues and impaired ability to deal with the stress of radical change. My wife Beverly has COPD and asthma and has difficult time breathing as it is. The dust and contaminated air might will severely aggravate her condition and even pose a threat to her life. There are many other residents with compromised respiratory systems.

But the threat goes beyond the Gardens and will extend out into the entire Des Moines and surrounding areas. Not too long ago the EPA had declared nearby Maury Island contaminated with decades of pollution from the old ASARCO smelter, so much so that the EPA felt the need for drastic action. A conveyor belt was to be built from Maury to DM where the contaminated soil was to be hauled away by an endless stream of big trucks. The DM City Council at the behest of concerned citizens wisely decided to reject the EPA solution.

The same wind that carried the contamination to nearby Maury Island blows across Des Moines and surrounding areas. The contaminated soil around here is probably covered with grass and buildings encapsulating the arsenic and other hazardous materials. Opening up the soil and spreading the contaminants into the air will be a great environmental threat to the area. The Gardens covers a large portion of land in the midst of Des Moines capable of contaminating the air of Des Moines and surrounding areas. It would be especially damaging to the elderly residents living at Ground Zero!

Not only is the destruction and rebuilding of Wesley Gardens an environmental threat, it is a blatant assault on the health and safety of its vulnerable residents, an extreme instance of Elder abuse.

Why this monumental waste and threat to the environment? I suspect for-profit developers masquerading as non-profit charity organizations are out to make bucks off the suffering of us Old Folks. Their sweetheart deal is to use the nonprofit status to build their for-profit enterprises which will ultimately be sold to them. When that happens, all the old nonprofit contracts will be replaced with new for-profit contracts. This may be legal for profiteers, but it is an immoral assault on the elderly residents

We have two notable examples of this, the former Masonic Home purchased by Goldmark and Foundation House in Federal Way purchased by Brookdale with more to come!

I urge the DM City Council to reconsider the permit to Wesley for the demolition and reconstruction of the Gardens out of concern for the vulnerable residents and the health and safety of the surrounding communities.

All human lives matter; Old Folks' lives STILL matter!

Thank you!