

AGENDA

**DES MOINES CITY COUNCIL
STUDY SESSION
City Council Chambers
21630 11th Avenue S, Des Moines, Washington
December 6, 2018 – 7:00 p.m.**

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

COMMENTS FROM THE PUBLIC

Note: Comments from the public must be limited to the items of business on the Study Session Agenda per Council Rule 10. Please sign in prior to the meeting and limit your comments to three (3) minutes.

DISCUSSION ITEMS

ITEM 1: EMERGING ISSUES

- Police/Citizen Acknowledgment
- Outgoing Committee Members Acknowledgement
- Art Commission Update

Page 3 ITEM 2: ARTS COMMISSION APPOINTMENT
Motion is to confirm the Mayoral appointment of Ray Fernandez to an unexpired term on the City of Des Moines Arts Commission effective immediately and expiring on December 31, 2020.

Page 7 ITEM 3: DISCUSSION OF 2019 CITY COUNCIL LEGISLATIVE PRIORITIES

~~ITEM 4: CITY MANAGERS MONTHLY REPORT~~

Page 11 ITEM 5: APPROVAL OF VOUCHERS
Motion is to approve for payment vouchers and payroll transfers through November 28, 2018 included in the attached list and further described as follows:

Total A/P Checks/Vouchers	#155813-156112	\$1,147,204.01
Electronic Wire Transfers	# 1140-1154	\$ 709,543.60
Payroll Checks	# 19100-19101	\$ 726.11
Payroll Direct Deposit	#440001-440175	\$ 352,295.40
Payroll Checks	# 19102-19102	\$ 441.68
Payroll Direct Deposit	#470001-470165	\$ 344,068.00
Total Checks and Wires for A/P and Payroll:		\$2,554,278.80

EXECUTIVE SESSION

Potential Litigation under RCW 42.30.110(1)(i) and Acquisition/Sale Or Lease Of Real Estate/Public Property under RCW 42.30.110(1)(b) - 20 minutes

NEXT MEETING DATE

December 13, 2018 City Council Leadership Retreat

ADJOURNMENT

A G E N D A I T E M

BUSINESS OF THE CITY COUNCIL City of Des Moines, WA

SUBJECT: Arts Commission Appointment

FOR AGENDA OF: December 6, 2018

DEPT. OF ORIGIN: Administration

ATTACHMENTS:

1. Application

DATE SUBMITTED: November 28, 2018

CLEARANCES:

☐ Community Development

☐ Marina

☒ Parks, Recreation & Senior Services *Sma*

☐ Public Works

CHIEF OPERATIONS OFFICER: _____

☐ Legal _____

☐ Finance

☐ Courts

☐ Police

APPROVED BY CITY MANAGER
FOR SUBMITTAL: *[Signature]*

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 Ray Fernandez to an unexpired term on the City of Des Moines Arts Commission effective immediately and expiring on December 31, 2020.”

Background

The City Council adopted Ordinance No. 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.

The Arts Commission was created to:

- (1) Represent the interest of the city in matters of the arts, to be a spokes group for the arts in the city and to keep the city council informed on all such related matters.
- (2) Evaluate, prioritize, and make recommendations on funding for cultural arts needs within the city.
- (3) Review and recommend works of art for the city, especially works to be acquired through appropriations set aside from municipal construction projects. Local artists will be encouraged and given equal consideration for these projects.
- (4) Inform, assist, sponsor or coordinate with arts organizations, artists, or others interested in the cultural advancement of the community.
- (5) Encourage and aid programs for the cultural enrichment of the citizens of Des Moines and encourage more public visibility of the arts.
- (6) Develop cooperation with schools, local, regional, state and national arts organizations.
- (7) Obtain private, local, regional, state or federal funds to promote arts projects within the Des Moines community.

Discussion

Fred Andrews, Alfonso DeAnda and M. Anne Sweet have either resigned or have announced that they will be resigning from the Arts Commission on December 31, 2018. This agenda seeks confirmation of the Mayoral appointment of Ray Fernandez to the Des Moines Arts Commission effective immediately and expiring on December 31, 2020.

Alternatives

None provided.

Financial Impact

No financial impact.

Recommendation/Concurrence

Parks, Recreation & Senior Services Staff support the appointment of Ray Fernandez to the Des Moines Arts Commission.



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

RECEIVED

Recvd OCT 30 2018

CITY OF DES MOINES
CITY CLERK

Please Check

- ☐ Civil Service Commission
☐ Library Board
☐ Human Services
☐ Senior Services
☒ Arts Commission
☐ Marina Beach Park
☐ Landmarks Commission
☐ Lodging Tax Committee

NAME: Ray Fernandez
 ADDRESS: 20730 One Moines Memorial Dr.
 CITY/ZIP: 98198
 PHONE: Home 203 678 2740 Work Same
 LENGTH OF RESIDENCE AT THE ABOVE ADDRESS _____
 REGISTERED VOTER? Yes
 E-MAIL ADDRESS: rayfernandez74@gmail.com

EMPLOYMENT SUMMARY LAST FIVE YEARS: Artist. The construction,
manufacturing, coming of Art

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? To have a better understanding, be more involved in the local art scene.
I believe I would contribute a artist point of view, As well as connections with other artist, other Art Commissioners.

2. What problems, programs or improvements are you most interest in? I would like to be part of a group that helps create more opportunities for local artist. Also would like to give to the general public, make it more acceptable to everyone.

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

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A G E N D A I T E M

BUSINESS OF THE CITY COUNCIL City of Des Moines, WA

SUBJECT: Discussion of 2019 City Council
Legislative Priorities

ATTACHMENTS:

1. 2019 City Council Legislative
Priorities

FOR AGENDA OF: December 6, 2018

DEPT. OF ORIGIN: Administration

DATE SUBMITTED: November 28, 2018

CLEARANCES:

- ☐ Community Development _____
- ☐ Marina _____
- ☐ Parks, Recreation & Senior Services _____
- ☐ Public Works _____

CHIEF OPERATIONS OFFICER: _____

- ☒ Legal *PW for TG*
- ☐ Finance _____
- ☐ Courts _____
- ☐ Police _____

APPROVED BY CITY MANAGER

FOR SUBMITTAL: *PW for MM*

Purpose and Recommendation

The purpose of this agenda item is for the City Council to review the 2019 City Council Legislative Priorities with State Legislators.

Background

In November of 2018, the City Manager presented the City Council with a short list of important legislative priorities that were recommended to be the focus for 2019. Those matters were discussed by the Council and a meeting was set for December to discuss these priorities with the State Legislators that represent the City of Des Moines.

The State Legislators that represent areas of Des Moines are: Senator Karen Keiser, Senator Elect Claire Wilson, Representative Tina Orwall, Representative Mia Gregerson, Representative Mike Pellicciotti, Representative Kristine Reeves and Congressman Adam Smith.

Discussion

The three major priorities the City has identified as 2019 legislative priorities are:

1. Reauthorization of funding for Marina North Bulkhead Project.
2. Updating Department of Corrections incarceration rates at SCORE (South Correctional Entity Regional Jail).
3. Siting a second regional airport in Washington.

A detailed summary of these priorities can be found in Attachment 1.

Additional items that the Council has expressed interest in for 2019 include statewide issues as well as local concerns.

Statewide:

The Council has expressed support for additional funding to the Criminal Justice Training Center to allow for a quicker turnaround time for the training of new officers. This matter is being pursued by a broad coalition of jurisdictions and also by the Washington State Association of Police Chiefs, of which the Des Moines Police Chief is the President.

The Council has also voiced objection to the recent changes to prevailing wage laws in the state. This matter is also being addressed by a coalition of jurisdictions including the Association of Washington Cities which Des Moines is currently a member.

Local Issues

The Council has identified two projects involving the Department of Natural Resources in 2019 that are a priority. The Council has publicly stated their support for the permitting and approval of Redondo Reef Project in association with Washington Scuba Alliance. Additionally, the Council has expressed concern about the potential removal of the armor rockery at Saltwater State Park. Both of these matters are currently administrative at this time and staff will continue to monitor and keep the Council informed.

Despite committed efforts to relieve the Marina of the tide lands, breakwater lease by our representatives we continue to explore options relative to the Marina DNR Lease.

SUMMARY: LEGISLATIVE ISSUES FOR 2019

1. MARINA

Re-authorization of \$2 million in funds authorized by the Legislature in 2018 for the North Bulkhead replacement. The authorization was delayed due to the State's capital budget process. The City is requesting re-authorization of these resources as the funds have not been expended. The North Bulkhead Project is currently at about 60% design, and working through complex permitting process with multiple agencies.

2. SCORE (South Correctional Entity Regional Jail)

Under existing state law, the state has capped what the Department of Corrections (DOC) can pay for the cost of incarceration to \$85 per day per offender. DOC currently contracts with SCORE to house inmates who are serving short term incarcerations due to an administrative violation of a previous sentence. The amount that DOC pays SCORE for these inmates is well below the market rate and results in a member/host City subsidy of DOC. Options that could address this issue are:

- A. Due to the different economic conditions between the west side of the state and eastside, one option is to lobby the Legislature to create two different maximum rates to account for the difference in costs. DOC from an operational and logistics perspective would not be able to work with only an eastside jail.
- B. Cafeteria Style Model – Legislative fix to increase fees based on programing. i.e. Medically Assisted Treatment (Methadone), medical services, etc.

3. SITING A SECOND REGIONAL AIRPORT IN WASHINGTON

Des Moines and City's surrounding Sea-Tac International Airport receive disproportionate impacts of aircraft operations as a result of their proximity to the airport. As Sea-Tac prepares for significant growth in the future and after experiencing significant growth in the past 6 years, it is imperative that a balance be struck between regional economic benefit and the direct impacts felt by Des Moines and our neighboring cities.

We believe that a critical aspect of providing relief for these impacts and also of enhancing regional economic benefit is an active commitment to site a second regional airport.

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CITY OF DES MOINES
Voucher Certification Approval

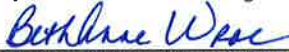
6-Dec-18

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 **Dec 06, 2018** the Des Moines City Council, by unanimous vote, does approve for payment those vouchers and payroll transfers through November 28, 2018 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:


 Beth Anne Wroe, Finance Director

	# From	# To	Amounts
Claims Vouchers:			
Total A/P Checks/Vouchers	155813	- 156112	1,147,204.01
Electronic Wire Transfers	1140	- 1154	709,543.60
Total claims paid			1,856,747.61
Payroll Vouchers			
Payroll Checks	19100	- 19101	726.11
Direct Deposit	440001	- 440175	352,295.40
Payroll Checks	19102	- 19102	441.68
Direct Deposit	470001	- 470165	344,068.00
Total Paychecks/Direct Deposits paid			697,531.19
Total checks and wires for A/P & Payroll			2,554,278.80

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2019-20 OPERATING BUDGET REQUEST

Adjust Daily Bed Rates Dept. of Corrections (DOC) Pays To SCORE Jail

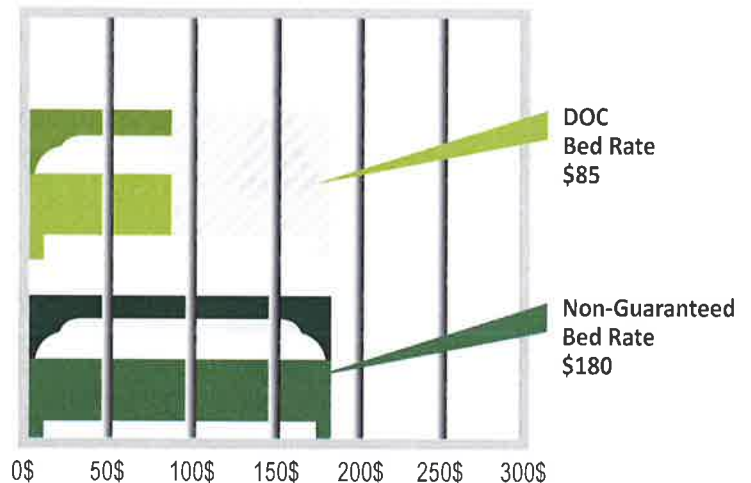
NOTE: Relying on language in the 2011-13 Operating Budget, the Department of Corrections has not offered rate increases to jails holding state prisoners since 2013. This has resulted in DOC paying a daily bed rate to the SCORE Jail (South Correctional Entity Regional Jail) in South King County that is less than half the non-guaranteed-bed rate paid by local jurisdictions.

This document reflects a priority request by a coalition of cities including Auburn, Burien, Des Moines, Renton, SeaTac, and Tukwila – on behalf of SCORE. These cities request a 2019-21 Operating Budget provision to adjust DOC daily bed rates upward to \$124/day – the equivalent of roughly \$7 million for the biennium – to create a state rate that aligns with costs paid by other jurisdictions. The request by SCORE and its member cities is also supported by the Washington Association of Sheriffs and Police Chiefs (WASPC).

Background on SCORE Jail, Current DOC-Paid Rates – & the Coalition Request for the 2019-21 Budget

- DOC has not offered a vendor rate increase to jail operators since 2013.
- The general daily-bed rate paid by DOC to SCORE is **maxed out at \$85** per day, pursuant to budget language first inserted in the 2011-13 Operating Budget.
- SCORE charges \$124/day to other jurisdictions for reserved beds (FY 2019) and \$180/day for non-guaranteed beds (FY 2019). As a practical matter, because the DOC is prohibited from anything that would constitute an advance 'gifting' of funds, DOC has shared that **it is technically tied to a non-guaranteed bed rate equivalent**.
- DOC currently pays a rate of \$85/day compared to the \$180/day non-guaranteed-bed rate paid by other jurisdictions which means **DOC is currently paying less than half the market rate for these beds**. In effect, a state agency is shifting its costs for holding prisoners to citizens and taxpayers in cities such as Auburn, Burien, Des Moines, Renton, SeaTac, and Tukwila.
- Additionally, while all other contracting jurisdictions pay SCORE for a final day in jail, DOC does not do so – regardless of time of release. SCORE estimates this alone represents **a sunk cost of over \$500,000** in 2017.
- At the same time, the DOC's utilization of general beds at the SCORE facility is significant. In a recent 12-month period, DOC's average daily population of inmates at SCORE was 256 – meaning **DOC is utilizing 55 percent of the general daily beds available**. The usage of bed space by DOC more than doubles that of any individual city contracting with SCORE.
- A BERK Consulting study of jail facilities done in 2014 showed that DOC's average offender cost per day in 2013 – even accounting for facilities that seek to bring in prisoners by offering below-market costs – was \$89.33.
- In DOC's 2019-21 "Decision Package", the agency requested **\$7 million** in additional funding for increased jail bed rates to ensure continuity of contract with local jails. DOC recognizes it pays a bed rate per day, set by statute, that does not align with the actual costs incurred by the jails to house violators. Due to these issues, **DOC has lost available bed space and risks losing contracts or additional bed space** with local jails.

DAILY BED RATES



DOC'S DAILY POPULATION AT SCORE



ADDITIONAL FUNDING NEEDED

\$7 M

CONTACT INFORMATION



DEVON SCHRUM, SCORE

Dschrum@scorejail.org



MIKE WELCH, AUBURN

Mikewelch@thompsoncg.com



LYSET CADENA, BURIEN

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CONNER EDWARDS, DES MOINES

CG.Edwards53@gmail.com



DOUG LEVY, RENTON

Doug@outcomesbylevy.onmicrosoft.com



JOSH WEISS, SEATAC

jweiss@gth-gov.com



RACHEL BIANCHI, TUKWILA

rachel.bianchi@tukwilawa.gov

Bonnie Wilkins

Subject: FW: Email to Representative Tina Orwall

From: Michael Matthias

Sent: Monday, December 3, 2018 10:04 AM

To: 'Wendy Ghiora, Ed.D' <wghiora@gmail.com>; Steve Edmiston <steveedmistonQ45@gmail.com>; Sheila Brush <shebrush@gmail.com>; David Clark <cmpared2what@aol.com>; Mark Proulx <mpproulx@earthlink.net>

Cc: _CityCouncil <CityCouncil@desmoineswa.gov>; Tim George <TGeorge@desmoineswa.gov>; Susan Cezar <SCezar@desmoineswa.gov>; Bonnie Wilkins <BWilkins@desmoineswa.gov>

Subject: RE: Email to Representative Tina Orwall

Thanks for sharing this Wendy. This week's City Council Study Session will include a discussion with our state legislative delegations (30th and 33rd), to discuss upcoming legislative session in Olympia next year. One of the City's highest priorities is to advocate for a process to site a second regional airport. I'll ask Bonnie to have a copy of this for that discussion.

Best,

Michael Matthias

City Manager

City of Des Moines, WA

206.870.6554

mmatthias@desmoineswa.gov

From: Wendy Ghiora, Ed.D [<mailto:wghiora@gmail.com>]

Sent: Friday, November 30, 2018 6:11 PM

To: Michael Matthias <MMatthias@desmoineswa.gov>; Steve Edmiston <steveedmistonQ45@gmail.com>; Sheila Brush <shebrush@gmail.com>; David Clark <cmpared2what@aol.com>; Mark Proulx <mpproulx@earthlink.net>

Subject: Email to Representative Tina Orwall

Dear Aviation Committee Members,

I would like to share email communication I recently had with Tina Orwall. I wrote to her as an individual, not as a member of our committee.

Wendy

Wendy Ghiora, Ed.D. • wghiora@gmail.com •

Nov 27, 2018, 7:16 AM (3 days ago)



to tina.orwall •

Dear Tina,

We met at Sheila's house several months ago to discuss some of the airport issues. Recently, I attended a POS meeting where it was announced the port will be increasing our property taxes by 3% for the next 5 years.

I got to thinking about the fact that in reality, Sea Tac is our only major airport. It provides service to the entire state. Since the entire population enjoys the service provided, why is the extra tax burden only put upon those of us in King County?

We who live directly under the flight path have both an extra financial and health burden.

If the entire state chipped in it would cost everyone a lot less and would be a more equitable solution. Can we do something about this?

Thank you for all you do for our community!

Orwall, Rep. Tina

Nov 27, 2018, 7:30 AM (3 days ago)



to me •

Hi Wendy,

It's nice to hear from you. I appreciate the question you have raised. I do think we need to "share" the burden and expense of the airport as well as mitigate the impact it has on our community. I certainly will raise this question with my colleagues.

Thanks again! Tina

Tina Orwall

State Representative, 33rd LD

**Wendy Ghiora, Ed.D, President
Washington State Chapter - Phi Delta Kappa
The Professional Organization for Educators**

Setting an example is not the main means of influencing another, it is the only means. Albert Einstein

Des Moines Art Commission

Quarterly Update - December 6, 2018



Des Moines **WA**
The Waterland City





Des Moines Art Commission

- Sheri Verburg, Chair
- Michelle Fawcett, Vice Chair
- Anne Sweet, Secretary
- Fred Andrews
- Nicholas Fannin
- Marcus Williams
- Jerry Farmer

Luisa Bangs, City Council Member
Liaison

Susan Cezar, Chief Strategic
Officer

Shannon Kirchberg, Events &
Facilities Manager

2018 Vision & Mission

Vision Statement:

“Des Moines is recognized for its advancement of vibrant Arts and Culture.”

Mission Statement:

“Establish Des Moines as a Center for the Arts.”



2018 Des Moines Art Commission Goals

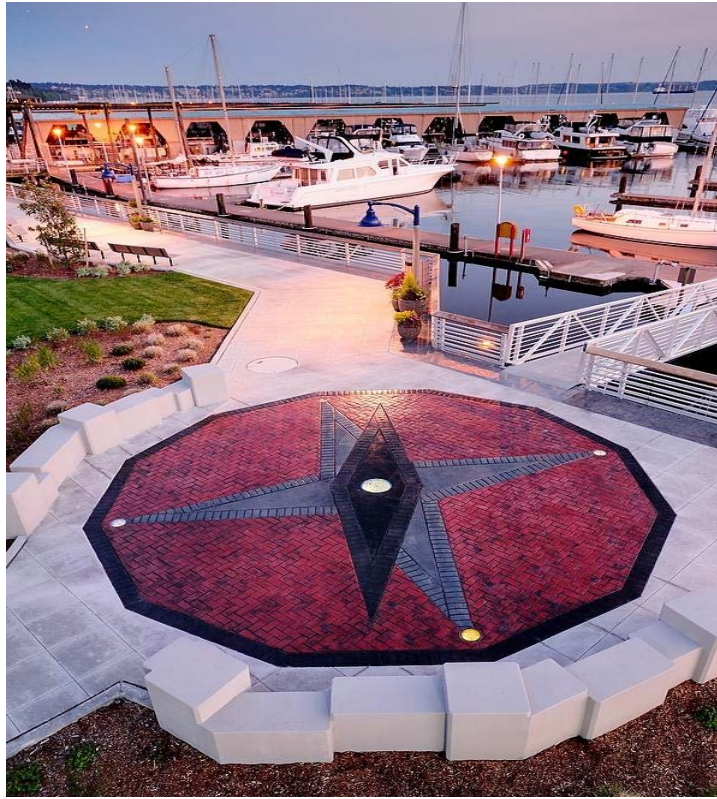


- 1. Improve Diversity/Access to the City through the Arts, as measured by DMAC surveys.*
- 2. Communicate with City Council on a Quarterly basis.*
- 3. Increase donations 20% over previous year.*
- 4. Develop a DMAC Marketing Plan.*

2018 Des Moines Art Commission Projects



- Concerts in the Park
- Art on Poverty Bay
- Waterland Parade
- Paint Night
- Squid - A - Rama
- Social Media



ART AT POVERTY BAY



CONCERTS AT THE PARK



2018 WATERLAND PARADE



2018 PAINT NIGHT



WEBSITE AND FACEBOOK

Commissioners Wanted!

We are currently seeking active community members to join the Des Moines Arts Commission. We are seeking civic minded individuals who have a passion for Des Moines, art in all mediums and who want to make a difference in their community.

If you know of anyone interested, please contact: Marcus Williams,
marcus@msquared.media or 253-359-4077





2019 PREVIEW



Des Moines **WA**
The Waterland City

Preliminary Projects:

- Art Gallery, Online
- Art Scholarship Highline
- Art Show
- Art/Wine Walks
- Artist Laureate
- Arts Gala on Poverty Bay
- Children's Theater
- Concerts in the Park
- Multicultural Festival
- Replacement Mural
- Sculptures, Rotating
- Shakespeare
- Spoken Word
- Squid-a-Rama
- Waterland Parade

THANK YOU!



Des Moines **WA**
The Waterland City



NORTH MARINA PARKING LOT BULKHEAD AND RESTROOM REPLACEMENT



Legislative Appropriation

- 6/2017 – 6/2019
Expenditure Schedule
 - Legislature re-appropriation required after 6/30/19
- Phase I Funded
 - 6/30/2019 legislative funds lapse
 - North Bulkhead
 - Construction mid 2019-2020
- Phase II Unfunded
 - West & South Bulkhead
 - Breakwater