

AMENDED AGENDA

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

March 26, 2020 – 5:00 p.m.

NOTE: The City of Des Moines is currently operating under a Proclamation of Emergency issued on March 5, 2020 in response to the COVID-19 outbreak. Gatherings of more than ten people are discouraged in order to stem the spread of the virus. As a result, the City Council will be suspending Public Comment during Council meetings and will be limiting the business conducted to essential matters only. Public Comment is still encouraged but will only be accepted in writing, either by email to the City Clerk at bwilkins@desmoineswa.gov or by mail; Attn: City Clerk, 21630 11th Avenue S., Des Moines WA 98198. City Council meetings will remain open to the public but can also be viewed live on Comcast Channel 21 or live streamed on the City's website at www.desmoineswa.gov.

All written Public Comment will be entered into the record and be available for review on the City's website. Consistent with state law, Public Comment will be allowed during the Council Meeting for any matters requiring a public hearing.

COVID-19 HEALTH SCREENING WILL TAKE PLACE FOR THOSE ATTENDING ALL COUNCIL MEETINGS UNTIL FURTHER NOTICE.

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

CORRESPONDENCE/~~WRITTEN PUBLIC COMMENT~~

~~COMMENTS FROM THE PUBLIC – 20 minutes~~

~~Please Note: Public comment will be limited to 20 minutes. If time allows, we will resume public comment at the end of our meeting after all official business has been conducted.~~

~~BOARD & COMMITTEE REPORTS/COUNCILMEMBER COMMENTS – 30 minutes~~

~~PRESIDING OFFICER'S REPORT~~

ADMINISTRATION REPORT

Item 1: EMERGENCY MANAGEMENT AND THE VALUE OF THE
EMERGENCY PROCLAMATION INCLUDED IN THE CONSENT
AGENDA

CONSENT CALENDAR

Page 3 Item 1:

APPROVAL OF VOUCHERS

Motion is to approve for payment vouchers and payroll transfers through March 19, 2020 included in the attached list and further described as follows:

Total A/P Checks/Vouchers	#160262-160459	\$1,515,561.24
Electronic Wire Transfers	# 1406-1406	\$ 57.00
Electronic Wire Transfers	# 1413-1428	\$ 799,031.76
Payroll Checks	# 19361-19368	\$ 4,552.61
Payroll Direct Deposit	#100001-100191	\$ 381,451.67
Payroll Checks	# 19369-19372	\$ 5,791.96
Payroll Direct Deposit	#120001-120179	\$ 366,740.11

Total Checks and Wires for A/P and Payroll: \$3,073,186.35

Page 5 Item 2:

COVID-19 EMERGENCY DRAFT RESOLUTION

Motion is to approve Draft Resolution 20-020 accepting findings of fact and ratifying and confirming the City Manager's Proclamation of Emergency on March 5, 2020, in the City of Des Moines due to the novel coronavirus disease 2019.

EXECUTIVE SESSION

NEXT MEETING DATE

April 9, 2020 City Council Regular Meeting

ADJOURNMENT

CITY OF DES MOINES
Voucher Certification Approval
March 26, 2020
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 **March 26, 2020** the Des Moines City Council, by unanimous vote, does approve for payment those vouchers through March 19, 2020 and payroll transfers through March 20 2020 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	160262	- 160459	1,515,561.24
Voided Checks			0.00
Electronic Wire Transfers	1406	1406	57.00
Electronic Wire Transfers	1413	1428	799,031.76
Total claims paid			2,314,650.00
Payroll Vouchers			
Payroll Checks	19361	19368	4,552.61
Direct Deposit	100001	100191	381,451.67
Payroll Checks	19369	19372	5,791.96
Direct Deposit	120001	120179	366,740.11
Total Paychecks/Direct Deposits paid			758,536.35
Total checks and wires for A/P & Payroll			3,073,186.35

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AGENDA ITEM

BUSINESS OF THE CITY COUNCIL
City of Des Moines, WA

SUBJECT: Draft Resolution 20-020 – Accepting Findings of Fact that an Emergency Exists, COVID-19

ATTACHMENTS:

- 1. Draft Resolution 20-020

FOR AGENDA OF: March 26, 2020

DEPT. OF ORIGIN: Legal

DATE SUBMITTED: March 18, 2020

CLEARANCES:

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

CHIEF OPERATIONS OFFICER: _____

- Legal *Blw for TG*
- Finance *Blw*
- Courts _____
- Police _____

APPROVED BY CITY MANAGER

FOR SUBMITTAL: *[Signature]*

Purpose and Recommendation

The purpose of this agenda item is for the City Council to approve Draft Resolution 20-020 accepting findings of fact and ratifying and confirming the City Manager’s Proclamation of Emergency on March 5, 2020, in the City of Des Moines due to the novel coronavirus disease 2019 (“COVID-19”). The following motion will appear on the consent calendar:

Suggested Motion

Motion 1: “I move to approve Draft Resolution 20-020 accepting findings of fact and ratifying and confirming the City Manager’s Proclamation of Emergency on March 5, 2020, in the City of Des Moines due to the novel coronavirus disease 2019.”

Background

Coronavirus disease 2019 (COVID-19) is a respiratory illness that can spread from person to person. The virus that causes COVID-19 is a novel coronavirus that was first identified in 2019 during an investigation into an outbreak in Wuhan, China. According to the Center for Disease Control (CDC), “[m]ore cases of COVID-19 are likely to be identified in the United States in the coming days, including more instances of community spread. CDC expects that widespread transmission of COVID-19 in the United States will occur. In the coming months, most of the U.S. population will be exposed to this virus.”

As a result, on January 31, 2020, the United States Department of Public Health and Human Services Secretary Alex Azar declared a public emergency for COVID-19 beginning on January 27, 2020. Following confirmed cases of COVID-19 in Washington, Governor Jay Inslee signed a Proclamation on February 29, 2020, declaring that a State of Emergency exists in all counties in the State of Washington, and directed that the plans and procedures of the Washington State Comprehensive Emergency Management Plan be implemented. King County additionally declared a state of emergency for the County on March 1, 2020.

Discussion

The City Manager issued a Proclamation of Emergency on March 5, 2020 as a result of confirmed cases of COVID-19 affecting residents in King County, the Proclamations and Orders issued by the United States, the State of Washington and King County, and to provide for the best opportunity for the City of Des Moines to address immediate responses to the threat of COVID-19 and reduce the opportunities for exposure to the disease.

Pursuant to the City of Des Moines’ Comprehensive Emergency Management Plan, the City Council is required to confirm an emergency proclamation issued by the City Manager at the earliest time practicable. By approving this Draft Resolution, the City Council will be making the determination the City Manager’s Proclamation was appropriate. Additionally, the Draft Resolution authorizes the City Manager to request any state or federal assistance needed as well as to take appropriate measures to respond to the threat of COVID-19 and to protect the public health and safety of the City’s residents and employees during this state of civil emergency.

The Proclamation of Emergency will be in effect until it is rescinded by the City Council.

Financial Impact

There has been and will continue to be a financial impact to the City’s budget as a result of this emergency. This includes increased expenses as well as decreased revenues. City administration is tracking these costs and will be presenting them to the City Council with a plan on how to ensure a sustainable and solvent budget moving forward. It is anticipated that this information will be presented in April. Approval of this Draft Resolution will assist the City in receiving funds from the state and federal government to combat this emergency.

Recommendation

Approve the Draft Resolution as presented.

CITY ATTORNEY'S FIRST DRAFT 3/16/2020**DRAFT RESOLUTION NO. 20-020**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DES MOINES, WASHINGTON, accepting findings and ratifying and confirming the City Manager's Proclamation of Emergency on March 5, 2020, in the City of Des Moines due to the novel coronavirus disease 2019 ("COVID-19").

WHEREAS, on January 31, 2020, the United States Department of Public Health and Human Services Secretary Alex Azar declared a public emergency for COVID-19 beginning on January 27, 2020; and

WHEREAS, on February 29, 2020, Governor Jay Inslee signed a Proclamation declaring that a State of Emergency exists in all counties in the State of Washington due to the number of confirmed cases of COVID-19 in the state, and directed that the plans and procedures of the Washington State Comprehensive Emergency Management Plan be implemented; and

WHEREAS, on March 1, 2020, King County Executive Dow Constantine signed a Proclamation of Emergency due to the number of confirmed cases of COVID-19 in King County thus enabling King County government to take extraordinary measures; and

WHEREAS, as a result of confirmed cases of COVID-19 affecting residents in King County, the Proclamations and Orders issued by the United States, the State of Washington and King County, and to provide for the best opportunity for the City of Des Moines to address immediate responses to the threat of COVID-19 and reduce the opportunities for exposure to the disease, the City Manager issued a Proclamation of Emergency on March 5, 2020, attached hereto and incorporated herein; and

WHEREAS, pursuant to the City of Des Moines' Comprehensive Emergency Management Plan, the City Council is required to confirm an emergency proclamation issued by the City Manager at the earliest time practicable; and

WHEREAS, the City Council has determined that it is in the best interests of the City of Des Moines to ratify and confirm the City Manager's Proclamation of Emergency, and to authorize the Proclamation of Emergency to continue until further notice; now therefore,

Resolution No. _____
Page 2 of 3

THE CITY COUNCIL OF THE CITY OF DES MOINES RESOLVES AS FOLLOWS:

Sec. 1. The foregoing recitals are adopted as findings of fact.

Sec. 2. The City Council of the City of Des Moines ratifies and confirms the City Manager's Proclamation of Emergency issued on March 5, 2020.

Sec. 3. The City Manager is authorized to request any state or federal assistance needed to meet the demands of the emergency that exists, as the City may be in need of economic assistance from available state and federal sources for expenses associated with the response to the COVID-19 threat and the costs associated therewith.

Sec. 4. The City Manager may take appropriate measures as the City Manager deems necessary and reasonable to respond to the threat of COVID-19 and to protect the public health and safety of the City's residents and employees during this state of civil emergency.

Sec. 5. The Proclamation of Emergency shall be in effect until it is rescinded by the City Council.

ADOPTED BY the City Council of the City of Des Moines, Washington this ____ day of _____, 2020 and signed in authentication thereof this ____ day of _____, 2020.

M A Y O R

APPROVED AS TO FORM:

City Attorney

ATTEST:

Resolution No. _____
Page 3 of 3

City Clerk

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From: Yoshiko Matsui <spark.matsui@gmail.com>
Sent: Monday, March 23, 2020 9:17 AM
To: Bonnie Wilkins
Subject: Council Rule 7.1

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Dear City Council and City Manager,

In light of the City's official Proclamation of Emergency due to the COVID-19 pandemic, I urge the Council to remove the restrictions on telephonic participation for Councilmembers. While Council meetings are vital to conduct the business of the City, it's not necessary for these meetings to be conducted in person. There is no reason to convene in person when meetings can be conducted telephonically or by video conference. Any gathering of people, regardless if it's less than 10 people, puts those over 60 years of age and those with underlining health conditions in our community at risk of acute respiratory illnesses due to COVID-19. Entire businesses have granted their employees access to teleworking to "flatten the curve" of infection. Secondly, I ask that Rule 7.1. section 3 and 4 be permanently removed. As a resident of Des Moines, I support a Councilmember member who has to participate either telephonically or by video conference due to ordinary reasons, such as tending to a sick child or grandchild, Again, there is no reason that telework is less valid than in-person work. I have heard that these restrictions were put in place to comply with RCW requirements. If the City's Legal Counsel can kindly provide the specific statute that limits telephonic participation of Councilmembers to one person at a time, and explain how other local cities are still in compliance when they have more than one Council member join via phone, that would be greatly appreciated.

Thank you,
Yoshiko Grace Matsui
North Hill resident

(3) Telephonic participation for each Councilmember shall be limited to one (1) Council meetings in a calendar year.

(4) Telephonic participation shall be limited to one (1) Councilmember per meeting. Priority will be given to the first Councilmember to request prior approval and who meets the requirements under this Rule.

Bonnie Wilkins

Public comment

From: Tad Doviak <taddoviak@gmail.com>
Sent: Wednesday, March 25, 2020 9:38 PM
To: Bonnie Wilkins; _CityCouncil; Michael Matthias
Subject: Public comment

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

I want to bring up the idea of business signage again for the downtown area. I would like to see consistent signage in the downtown core to promote cohesiveness and an identity for our community. Identifying two or three styles that will work is a good first step. Once they are identified I would like to see a moratorium on permit fees for any business changing to the new design and a permanent waiver of the permit fee for every new business if they use an approved sign style.

I would love to see this happen soon and I am happy to assist in any way I can. Thank you for your time.

Tad Doviak

Bonnie Wilkins

Public Comment

From: Matt Pina
Sent: Thursday, March 26, 2020 2:58 PM
To: Will Huisingh
Cc: Bonnie Wilkins
Subject: Re: Leadership

Will,
Thank you for your email.

There have been a number of publications that have gone out. They have been distributed on the City's website, the Waterland blog and many other locations. We are also involved with South King Fire and Rescue and a number of Emergency Management professionals, doing what we can to ensure the safety of our city.

I don't know what you're looking for, but I / we have been very active in fighting this covid-19 issue.

The difficulty today is people get their information from various sources. All I can ask is that you get it from trustworthy source not the rumor mill.

Should you have further questions you are welcome to call me at my home in the evenings.

Respectfully,
Matt Pina
206-824-8216

On Mar 26, 2020 8:39 AM, Will Huisingh <husinghwb@comcast.net> wrote:
CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

There has been no outreach to the residents of Des Moines as to what the city is doing or can do in support of the residents, especially the elderly.

Where is the leadership?

Matt as the Mayor should be showing his leadership.

Will Huisingh

Sent from my iPhone - Will Huisingh

Roles and Responsibilities Of Emergency Management

- Roles and responsibilities are defined in national emergency management protocols established in the National Incident Management System (NIMS) and Incident Command System (ICS). These are designed at the federal level in order to standardize response and recovery efforts from an emergency situation. They establish an operational command and control response.
- Elected bodies have specific duties in this system, and it is vital that Council, acting as a whole, understand them and perform them.
- Council duties are as follows:
 - The primary duty of the City Council as a body, is to approve specific ordinances required for response and recovery from an incident. These would include:
 - ✓ Disaster Declaration
 - ✓ Evacuation Orders
 - ✓ State of Emergency (the Council will be ratifying this Proclamation tonight)
 - ✓ Protective Ordinances (ordinances necessary to protect life and property during an emergency)

Roles and Responsibilities Of Emergency Management

- The City Council and individual Councilmember do not have an operational role or administrative role in day to day emergency response actions.
- The second duty of the Council and individual Councilmembers is to support the Public Information Officer (PIO) in delivering an accurate and consistent message generated by the Emergency Operations Center to the residents of Des Moines . This message is not an individual Councilmember message but consistent with the information and protocols established by the PIO (in this instance coming from our first responders).
- Another duty is to consider and approve ordinances related to budgetary requirements for response and recovery – these budget amendments typically are approved by City Council after the fact, especially in a fast moving incident. It is anticipated that this current emergency will require budget amendments, which will be presented to the Council at the necessary time.
- One very important consideration is that the City Finance Department accurately record City resources directed to respond to this emergency as the City may qualify to receive federal or state funds as reimbursement for actions taken to address the emergency.
- Finally, the Council is tasked with advocating other elected bodies for resources the City of Des Moines requires for response to, and recovery from, an incident as determined by City Council, with input from the Emergency Management team.
- Not all of these duties apply in every emergency, subject to the nature of the emergency.

COUNCIL COMMUNICATION

Since February 12, 2020 (6 weeks ago) the following documents and information have been sent to the Council by the administration to inform you of our response to the coronavirus.

<u>Subject</u>	<u>Date</u>	<u>Time</u>	<u>From</u>
Mayor Pina Statement - COVID-19/Council Meetings	3/25/2020	3:03:00 PM	Bonnie Wilkins
FW: Council Agenda (Remote Meetings)	3/23/2020	6:56:00 PM	Bonnie Wilkins
FW: Council Agenda (Remote Meetings)	3/23/2020	4:21:00 PM	Bonnie Wilkins
FW: Revised Joint Mayoral Statement	3/23/2020	4:18:00 PM	Bonnie Wilkins
Update's on Facebook	3/23/2020	2:59:00 PM	Bonnie Wilkins
RE: Council Rule 7.1	3/23/2020	1:15:00 PM	Bonnie Wilkins
Sent on behalf of City Manager, Michael Matthias: Closure of Parks - Social Distancing	3/22/2020	2:19:00 PM	Bonnie Wilkins
Fwd: URGENT - Families First Coronavirus Response Act (HR 6201)	3/21/2020	7:25:00 PM	Bonnie Wilkins
RE: Horrible wood in Poverty Bay	3/20/2020	1:05:00 PM	Bonnie Wilkins
RE: Agenda Packet	3/20/2020	12:58:00 PM	Taria Keane
Agenda Packet	3/20/2020	12:50:00 PM	Taria Keane
FW: COVID-19 Update from City Manager Michael Matthias	3/20/2020	12:41:00 PM	Bonnie Wilkins
City Manager Executive Order and Protocol For Next Week's Council Meeting	3/19/2020	1:16:00 PM	Bonnie Wilkins
RE:	3/19/2020	9:00:00 AM	Bonnie Wilkins
RE: Superior Court notice (for informational purposes only)	3/18/2020	1:15:00 PM	Michael Matthias
RE: Superior Court notice (for informational purposes only)	3/18/2020	1:09:00 PM	Tim George
FW: NIMS Overview for Senior Officials - Still on for tomorrow	3/18/2020	11:50:00 AM	Bonnie Wilkins
Sent on behalf of Mayor Pina: Eviction Moratorium	3/17/2020	3:44:00 PM	Bonnie Wilkins

COUNCIL COMMUNICATION

Sent on Behalf of City Manager Michael Matthias: RE: COVID-19 Update - Confidential	3/17/2020	10:34:00 AM	Bonnie Wilkins
COVID-19 Update - Confidential	3/16/2020	3:38:00 PM	Michael Matthias
FW: KCLS institutes System-wide closure in response to coronavirus (COVID-19) pandemic	3/13/2020	2:48:00 PM	Bonnie Wilkins
Sent on Behalf of Michael Matthias	3/13/2020	11:58:00 AM	Bonnie Wilkins
Mayor Pina Statement: Coronavirus	3/12/2020	6:03:00 PM	Bonnie Wilkins
Sent on Behalf of Mayor Pina: Cancellation of March 12, 2020 City Council Meeting	3/11/2020	5:21:00 PM	Bonnie Wilkins
Sent on Behalf of Michael Matthias: Notice of Safety During Coronavirus Outbreak	3/10/2020	4:27:00 PM	Bonnie Wilkins
Field House Closure	3/10/2020	3:12:00 PM	Bonnie Wilkins
RE: Council Training	3/9/2020	9:44:00 AM	Bonnie Wilkins
RE: Mount Rainier High School	3/8/2020	7:32:00 PM	Shannon Kirchberg
FW: Mount Rainier High School	3/8/2020	6:43:00 PM	Michael Matthias
CERT 2020 Graduating Class	3/7/2020	2:03:00 PM	Shannon Kirchberg
G-402 Senior Official Emergency Management Training - UPDATE	3/6/2020	3:15:00 PM	Bonnie Wilkins
Agenda Packet	3/6/2020	1:07:00 PM	Taria Keane
CERT Training	3/5/2020	4:45:00 PM	Bonnie Wilkins

COUNCIL COMMUNICATION

FW: Sent on Behalf of City Manager Michael Matthias: Emergency Proclamation - Coronavirus (COVID-19)	3/5/2020	4:07:00 PM	Bonnie Wilkins
RE: Meeting w/Highline College	3/4/2020	9:58:00 AM	Michael Matthias
FW: Nine days to go - Legislative Update	3/3/2020	11:39:00 AM	Michael Matthias
Fwd: Wesley Des Moines - COVID-19 Precautions and The Rainier Bistro Coronavirus update	3/2/2020	5:09:00 PM	Bonnie Wilkins
Coronavirus information	3/2/2020	2:38:00 PM	Michael Matthias
Council Committee Assignments	3/2/2020	2:28:00 PM	Michael Matthias
RE: Passing of Toni Overmyer	2/28/2020	1:12:00 PM	Taria Keane
The Rainier Bistro March 2-6	2/27/2020	3:32:00 PM	Bonnie Wilkins
Council Retreat-Meeting Dates	2/27/2020	3:06:00 PM	Bonnie Wilkins
Notice of Special Meeting - Amended	2/27/2020	9:54:00 AM	Bonnie Wilkins
FW: March Do 1 Thing - Please share on Social Media.	2/26/2020	8:49:00 AM	Taria Keane
February Payroll	2/25/2020	1:54:00 PM	Bonnie Wilkins
FW: CERT Drill - March 7th 9am to 12pm	2/25/2020	10:35:00 AM	Bonnie Wilkins
Woodmont Emergency Slide update - DRAFT for review	2/25/2020	9:57:00 AM	Bonnie Wilkins
Passing of Toni Overmyer	2/23/2020	7:46:00 PM	Brandon Carver
Special Meeting Notice	2/21/2020	3:20:00 PM	Bonnie Wilkins
	2/21/2020	12:45:00 PM	Taria Keane

COUNCIL COMMUNICATION

Agenda Packet	2/21/2020	12:45:00 PM	Taria Keane
The Rainier Bistro February 24-28	2/21/2020	10:02:00 AM	Bonnie Wilkins
Lost Revenue	2/18/2020	12:40:00 PM	Bonnie Wilkins
Fwd: Warehouse Sale - Des Moines Business, Public Service Flyers and General Public Schedules	2/15/2020	10:01:00 AM	Bonnie Wilkins
Out of the office	2/14/2020	2:30:00 PM	Michael Matthias
Out of the office	2/14/2020	2:30:00 PM	Michael Matthias
RE: Woodmont Emergency Slide update - DRAFT for review	2/14/2020	7:02:00 AM	Michael Matthias
Update	2/13/2020	2:36:00 PM	Michael Matthias
The Rainier Bistro February 17-21	2/13/2020	10:51:00 AM	Bonnie Wilkins
FW: HB 2315 passes the House!	2/12/2020	2:40:00 PM	Michael Matthias
SCORE issue and City response	2/12/2020	11:47:00 AM	Tim George



Vic Pennington, Fire Chief; South King Fire & Rescue

Ken Thomas, Police Chief; City of Des Moines Police Department