



Des Moines Pool Metropolitan Park District

March 19, 2024
7:00 p.m.
Special "Hybrid" Meeting

Meetings are hybrid: being held remotely using Zoom and in-person at the Des Moines Pool MPD District Office (22015 Marine View Dr. So. – Main floor). If you wish to listen in, please do so at 1-253-205-0468; Meeting ID: 886 9434 7018; Passcode: 222469. Any questions or comments should be directed to Scott Deschenes, District General Manager at (206) 429-3852 or by email at scott.deschenes@desmoinespool.org. Public comment for those who cannot physically attend will be due by email to info@mtrainierpool.com by noon on the day of each meeting. Patrons that can attend in-person will be allotted three minutes during public comment (#5). This is due to the hybrid format of the meetings.

AGENDA

7:00 1. **CALL TO ORDER ROLL CALL**

7:01 2. **PLEDGE OF ALLEGIANCE**

7:03 3. **ADOPTION/MODIFICATIONS OF AGENDA**

7:04 4. **ANNOUNCEMENTS, PROCLAMATIONS AND PRESENTATION**

7:05 5. **PUBLIC COMMENT (Please Limit to Three [3] Minutes)**

Hybrid Meeting: If you are unable to physically attend and wish to make public comment, please submit in writing via email to info@mtrainierpool.com by Noon on Tuesday, March 19. Please include your name, address, and contact phone number. All timely submitted public comments will be read at the meeting subject to the time limit. Any public comments received after noon, will be read at the following regular meeting.

7:10 6. **BOARD VACANCY POLICY/PROCESS**

7:15 7. **EXECUTIVE SESSION "RCW 42.30.110(1)(g)"**

To evaluate the qualifications of an applicant for public employment or to review the performance of a public employee. However, subject to RCW [42.30.140\(4\)](#), discussion by a governing body of salaries, wages, and other conditions of employment to be generally applied within the agency shall occur in a meeting open to the public, and when a governing body elects to take final action hiring, setting the salary of an individual employee or class of employees, or discharging or disciplining an employee, that action shall be taken in a meeting open to the public.

8:00 **UPCOMING MEETINGS**

- March 26, 2024, Regular Board Meeting, 7:00 p.m., Location DMPMPD Office (22015 Marine Drive So. #2B, Des Moines, WA)
- April Special Meeting (T.B.D.), Regular Board Meeting, 7:00 p.m., Location DMPMPD Office (22015 Marine Drive So. #2B, Des Moines, WA)

ADJOURNMENT

22015 Marine View Drive South, Suite 2B, Des Moines WA 98198 (Physical Location)

22722 19th Avenue South, Des Moines, WA 98198 (Mailing Address)

To enhance our community's quality of life by providing access to and promoting participation in aquatics programs

The Des Moines Pool Metropolitan Park District is committed to compliance with both the Washington Law Against Discrimination and the Americans with Disabilities Act. The District's meetings are being held hybrid including remotely due to COVID-19. See the information above to join a meeting. If you have any questions, please contact Scott Deschenes, District General Manager, 206.429.3852.

Des Moines Pool Métropolitain Park District

AGENDA ITEMS SUMMARY SHEET

Agenda Item #: 6 Assigned to: District GM

Meeting Date: 03/19/2024

Under: Business

Attachment: Yes

Subject: Board Vacancy Policy/Process

Background/Summary:

On Friday, March 8, 2024, Commissioner Achziger notified the board that he would be resigning his position. This item is to ratify an updated policy for board vacancies, see if there are any nominations, and go over a proposed timeline. See attached resignation email.

First, the policy was enacted on October 20, 2020, the district created [Policy 225 Board Vacancy Process](#). Since that time, the state legislature has updated its requirements for districts with an assessed value of over \$5,000,000,000, including the Des Moines Pool District. Attached is the updated process to reflect the legislative changes, which includes the **highlighted** sections 4-6.

Second, the policy allows for the Board of Commissioners to nominate applicants. If a nomination occurs, the district will still have 15-days to post the position and take applicants from the community.

Third, the District General Manager has included the attached tentative schedule to discuss the opening and process moving forward. This includes posting of the position, review of applicants and formal action.

Note-The district has 14-days to post the position. The District GM will post the vacancy on Wednesday, March 20. There will be a 15-day window for applications.

Fiscal Impact: N/A

Proposed Motion:

First- I move to amend Policy 225 Board Vacancy Process.

Second- I nominate _____ to fill Position #5.

Reviewed by District Legal Counsel: Yes X No _____ Date: Various

Two Touch Rule:

<u>N/A</u>	Committee Review (WCIA Audit)
<u>03/19/2024</u>	First Board Meeting (Informational)
<u>To be determined</u>	Second Board Meeting (Action)

Action Taken: Adopted _____ Rejected _____ Postponed _____

Follow-up Needed:

Yes _____ No _____

Report back date: _____

Notes:

Attachments:

- Resignation Email
- Current/Old [Policy 225 Board Vacancy Process](#) *(Passed 10/20/2020)*
- Proposed Policy 225 Board Vacancy Process
- Proposed Board Vacancy Schedule
- Draft of Proposed Vacancy Announcement

Subject: Fw: Achziger resignation

Date: Wednesday, March 13, 2024 at 10:46:02 AM Pacific Daylight Time

From: Gene Achziger

To: Scott Deschenes

----- Forwarded Message -----

From: Gene Achziger <gachziger@yahoo.com>

To: Shane Young <shane.young@desmoinespool.org>

Sent: Friday, March 8, 2024 at 10:38:11 PM PST

Subject: Achziger resignation

March 7, 2024

Shane Young, president
Des Moines Pool Metropolitan Park District
22015 Marine View Dr S
Des Moines, WA 98198

Dear Shane:

With regret, I am submitting my resignation as a commissioner for the Des Moines Pool Metropolitan Park District, effective March 8, 2024.

It has been an honor to serve with you and my fellow commissioners, and I offer my services in a private capacity to continue doing whatever I can to promote swimming as an essential life skill for the district's youth. I leave confident that our shared goal of providing all youth in our community the opportunity, regardless of race, religion, sexual orientation, or financial capacity, to expand their recreational, health, and career options by having the ability to swim.

Sincerely,

Gene Achziger, commissioner, position 5
Des Moines Pool Metropolitan Park District

225 – Board Vacancy Process

1.0 PURPOSE

To establish a process for the Des Moines Pool Metropolitan Park District Board of Commissioners to fill commissioner vacancies.

- pursuant to RCW 35.61.050, RCW 42.12.070 and Article 4.2 of the Des Moines Pool Metropolitan Park District Bylaws, the Board of Commissioners is responsible to fill vacancies within ninety days of the date the vacancy occurs.
- In order to facilitate an orderly and fair appointment process, the Board of Commissioner deems it appropriate to adopt procedures for filling vacancies for the board.

2.0 PROCESS

1. In the event of a vacancy for any of the reasons listed in RCW 42.12.010, the District General Manager will post notice of the vacancy and the following process for applying to fill the vacancy to the District's website, social media, and local news sources within 14 calendar days of the occurrence of the vacancy.
 - a. Applicants will need to provide a letter of intent.
 - b. Applicants must meet requirements of being a "qualified person" per RCW 42.04.020.
 - c. The General Manager shall set the initial deadline for applications in consultation with the Board Chair.
 - d. The General Manager may extend the deadline if necessary.
2. The Board will review all letters of intent and may conduct interviews prior to selecting the candidate.
3. If no letters of intent are submitted prior to the deadline or the extended deadline, the Board members and general manager may directly recruit interested individuals.
4. The Board shall nominate at least one candidate from the applicants at an open public meeting (RCW 42.12.080(1)).
5. The Board shall publish notice of the vacancy in three public places within the District and on the District's website for at least 15 calendar days prior to the deadline for additional nominations to be submitted from District registered voters (RCW 42.12.080(1)).
6. The notice must state that a vacancy exists, must identify the candidate(s) nominated under step 6 and must indicate that the Board will accept additional nominations from District registered voters (RCW 42.12.080(1)).

225 – Board Vacancy Process

7. The Board shall evaluate all nominees and appoint a new commissioner from the field of nominees within 90 days of the date the position became vacant at an open public meeting (RCW 42.12.080(1))
8. Interviews, if held, will be conducted in an open public meeting.
9. The Board may evaluate candidates in executive session pursuant to RCW 42.30.110(1)(h).
10. The Board shall make the decision to appoint a person to fill the vacancy in an open public meeting.
11. The appointed individual will take the oath of office as soon as possible after appointment.
12. The appointed individual shall complete open public meeting and open public records training within 90-days of the appointment.
13. Pursuant to RCW 42.12.070 (6) the person who is appointed shall serve until a qualified person is elected at the next election at which a member of the governing body normally would be elected (odd numbered years). The person elected shall take office immediately and serve the remainder of the unexpired term.

14. REFERENCES

101 District (Des Moines Pool M.P.D.) Bylaws, Article 4.2

RCW 35.61.050 Composition of Board – Election of Commissioners – Terms – Vacancies

RCW 42.12.010 Causes of Vacancies

RCW 42.12.070 (6) Filing Nonpartisan Vacancies

RCW Dispositions, Chapter 29A.24 Filing for Office

RCW 42.04.020 Eligibility to Hold Office

Board Vacancy Schedule

Policy 225 is a process to fill commissioner vacancies pursuant to RCW 35.61.050, RCW 42.12.070 and Article 4.2 of the Des Moines Pool Metropolitan Park District Bylaws, the Board of Commissioners is responsible to fill vacancies within ninety days of the date the vacancy occurs.



Complete by Each **BOLD** term explains area of Policy 225 Board Vacancy Process.

March 8, 2024	Resignation. Commissioner resigned from district position. 14-day window to post position and 90-day window to fill position.
March 19, 2024	Special meeting. Adopt policy 225 to update to current legal standards. Board can elect to nominate a candidate or open it to the public. <i>If board nominates an applicant, there is still a requirement of a 15-day minimum posting of the opening. Other applicants can apply during this time.</i>
March 20, 2024	Posting. District General Manager will post the position on website, social media, and Waterland Blog. Position will also be physically posted at District Offices and Mount Rainier Pool. Deadline: April 4. <i>Note-per policy, District General Manager can extend deadline if no one applies.</i> Application materials include: <ul style="list-style-type: none"> • Letter of Intent • Applicants must meet minimum requirements (residency and registered voter).
March 27, 2024	Regular board meeting. No action to be taken.
To Be Determined.	Applicant screening. District General Manager will meet with Board President to review candidates (if any) and prepare materials for April 23 board meeting. <ul style="list-style-type: none"> • Ensure applicants meet minimum requirements (residency and registered voter) • Applicant <u>letters of intent</u> will be included in the April 23 board meeting packet that will be sent out on Thursday, April 18.
April 23, 2024	Regular board meeting. Review applicants per policy and make decision. If not enough applicants, revamp deadlines for May 28 regular board meeting. <ul style="list-style-type: none"> • Interviews will be done in an opening public meeting. • The board may review applicants in an executive session pursuant to RCW 42.30.110(1)(h). • The decision will be announced in an open public meeting.
After appointment.	Oath of Office & OPMA/PRA Trainings. An oath of office is required as soon as possible. Oaths of office can be made by scheduling a meeting with Brian Snure at his law offices. The applicant will also need to participate in Open Public Meetings/Public Records Act trainings. The District General Manager will work with them to get them certified.
2025 Election Cycle	Term. This position will serve until the November 2025 election is certified. <i>Pursuant to RCW 42.12.070 (6) the person who is appointed shall serve until a qualified person is elected at the next election at which a member of the governing body normally would be elected (odd numbered years).</i> <ul style="list-style-type: none"> • 2025 elected position would fill role remaining four years until 2029.

This process may be updated depending on circumstances.

Questions: If you have any question about the process, please contact Scott Deschenes, District General Manager at 206.429.3852 or scott.deschenes@desmoinespool.org

COMMISSIONER OPENING ANNOUNCEMENT
Recruitment, Interview Process and Replacement of Commissioner
March 20, 2024

Vacant Position on the Des Moines Pool Metropolitan Park District Board

EFFECTIVE IMMEDIATELY

March 8, 2024

CONTACT

Scott Deschenes, District General Manager

scott.deschenes@desmoinespool.org

(206) 429-3852

DES MOINES, WA -

The Des Moines Pool Metropolitan Park District is seeking applicants to fill a seat on its Board of Commissioners left vacant by the resignation of Gene Achziger for personal reasons.

The appointee would begin serving immediately after taking the Oath of Office until the 2025 General Election results are certified. If this appointee would like to serve the remainder of the term for Position 5, set to expire December 31, 2029, they must be elected by voters in November of 2025.

The salary for the position is \$161 stipend per day (an average of one to two meetings a month).

Applicants must be registered voters of the City of Des Moines (WA) and have a one-year continuous period of residence in the Des Moines Pool Metropolitan Park District (City of Des Moines) at the time of appointment. Please get in touch with our district office if a person has residency or eligibility questions.

To apply, please submit a letter of intent to the Mount Rainier Pool front desk (22722 19 Avenue S., Des Moines, WA) or email info@mtrainierpool.com.

All letters of intent should include:

- the applicant's residential address,
- date of birth and
- contact information.

The letter of intent information will be used by King County Elections to confirm eligibility.

The deadline for applications is Thursday, April 4 at 5:00pm.

The five-member Board of Commissioners provides governance of the Mount Rainier Pool. The Board of Commissioners also adopts the district's budget, approves appropriations and contracts in the district's name, levies taxes, and sets aquatic programming for the community. Regular business meetings are held at 7 pm on the fourth Tuesday evening of every month, with special meetings or study sessions set on the availability of the Commissioners. Remote access is available for all regular meetings.

For more information contact Scott Deschenes, District General Manager at (206) 429-3852 or by emailing info@mtrainierpool.com. This press release is available on Mount Rainier Pool's website at www.mtrainierpool.com/about/governance.

Des Moines Pool Metropolitan Park District

AGENDA ITEMS SUMMARY SHEET

Agenda Item #: 7 Assigned to: District Gm/Legal Meeting Date: March 19, 2024

Under: Executive Session Business

Attachment: None

Subject: Executive Session "District General Manager Review"

Background/Summary:

The Board of Commissioners will be meeting in executive session to discuss the performance of a public official.

To evaluate the qualifications of an applicant for public employment or to review the performance of a public employee. However, subject to RCW [42.30.140\(4\)](#), discussion by a governing body of salaries, wages, and other conditions of employment to be generally applied within the agency shall occur in a meeting open to the public, and when a governing body elects to take final action hiring, setting the salary of an individual employee or class of employees, or discharging or disciplining an employee, that action shall be taken in a meeting open to the public.

The board president will make a motion at the start of the meeting to enter executive session, and there will be no action taken at this meeting.

Fiscal Impact: N/A

Chair Announcement: Executive Session: We will now go into executive session pursuant to RCW 42.30.140(1)(b) to review the performance of a public employee.

- The executive session will be for _____ minutes until ____:____.
- Any direction made by the board will be in open session and noted in the minutes.

Reviewed by District Legal Counsel: Yes X No _____ Date: Various

Two Touch Rule: _____ N/A _____ Committee Review
_____ 02/20/2024 _____ First Board Meeting (Informational)
_____ To be determined _____ Second Board Meeting (Action)

Action Taken: Adopted _____ Rejected _____ Postponed _____

Follow-up Needed: Yes _____ No _____ Report back date: _____

Notes:

-No Attachments.